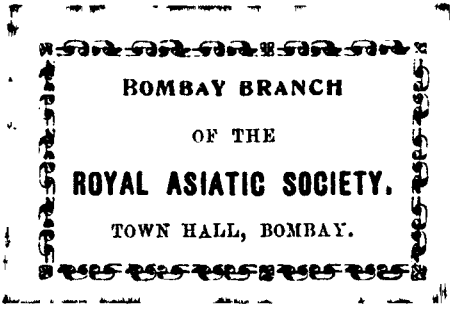
SIR RAYMOND WEST

MEMORIAL

00053973

NOT TO BE ISSUED
OUT OF THE LIBRARY.



Digitized with financial assistance from the
Government of Maharashtra
on 28 September, 2015

THE

WORKS

53973

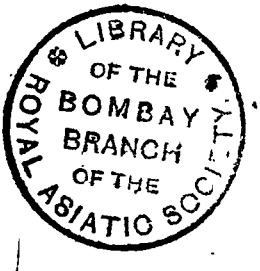
OF

THE RIGHT HONOURABLE

EDMUND BURKE.

A NEW EDITION.

VOL. VI.



IXA c 39

London:

PRINTED FOR F. C. AND J. RIVINGTON,
St. Paul's Church-Yard;

SOLD ALSO BY J. HATCHARD, PICCADILLY.

1808.

081
Bur/wor
53073

Printed by Luke Hansard & Sons,
near Lincoln's-Inn Fields.

CONTENTS.

VOL. VI.

LETTER to a Member of the National Aſſembly - - - - - page 1

Appeal from the New to the Old Whigs - 69

Letter to a Peer of Ireland on the Penal Laws againſt Iriſh Catholicks - - 269

Letter to Sir Hercules Langriſhe, Bart. M. P. on the Subject of the Roman Catholicks of Ireland, and the Propriety of admitting them to the Elective Franchiſe, conſiſtently with the Principles of the Conſtitution, as eſtabliſhed at the Revolution - - 297

A LETTER

FROM

MR. BURKE,

TO

A MEMBER

OF

THE NATIONAL ASSEMBLY;

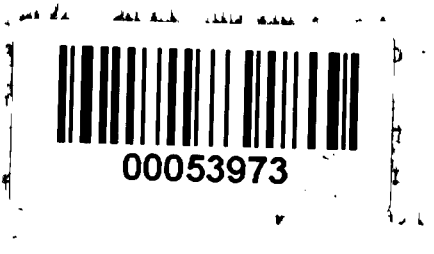
IN ANSWER

TO SOME OBJECTIONS TO HIS BOOK

ON

FRENCH AFFAIRS.

1791.


00053973

A LETTER,

&c. &c.

SIR,

I HAD the honour to receive your letter of the 17th of November laſt; in which, with ſome exceptions, you are pleaſed to conſider favourably the letter I have written on the affairs of France. I ſhall ever accept any mark of approbation, attended with inſtruction, with more pleaſure than general and unqualified praiſes. The latter can ſerve only to flatter our vanity; the former, whilſt it encourages us to proceed, may help to improve us in our progreſs.

Some of the errours you point out to me in my printed letter are really ſuch. One only I find to be material. It is corrected in the edition which I take the liberty of ſending to you. As to the cavils which may be made on ſome part of my remarks, with regard to the *gradations* in your new conſtitution, you obſerve juſtly, that they do not affect the ſubſtance of my objections. Whether there be a round more or leſs in the ladder of repreſentation, by which your workmen aſcend from their parochial tyranny to their federal anarchy, when the whole ſcale is falſe, appears to me of little or no importance.

I publiſhed my thoughts on that conſtitution, that my countrymen might be enabled to eſtimate the wiſdom of the plans which were held out to their imitation. I conceived that the true character of thoſe plans would be beſt collected from the committee appointed to prepare them. I thought that the ſcheme of their building would be better comprehended in the deſign of the architects than in the execution of the maſons. It was not worth my reader's while to occupy himſelf with the alterations by which bungling practice corrects abſurd theory. Such an inveſtigation would be endleſs: becauſe every day's paſt experience of impracticability has driven, and every day's future experience will drive, thoſe men to new devices as exceptionable as the old; and which are no otherwiſe worthy of obſervation than as they give a daily proof of the deluſion of their promiſes, and the falſehood of their profeſſions. Had I followed all theſe changes, my letter would have been only a gazette of their wanderings; a journal of their march from errour to errour, through a dry dreary deſart, unguided by the lights of heaven, or by the contrivance which wiſdom has invented to ſupply their place.

I am unalterably perſuaded, that the attempt to oppreſs, degrade, impoveriſh, confiſcate and extinguiſh the original gentlemen, and landed property of a whole nation, cannot be juſtified under

any

any form it may aſſume. I am ſatisfied beyond a doubt, that the project of turning a great empire into a veſtry, or into a collection of veſtries, and of governing it in the ſpirit of a parochial adminiſtration, is ſenſeleſs and abſurd, in any mode, or with any qualifications. I can never be convinced, that the ſcheme of placing the higheſt powers of the ſtate in churchwardens and conſtables, and other ſuch officers, guided by the prudence of litigious attornies, and Jew brokers, and ſet in action by ſhameleſs women of the loweſt condition, by keepers of hotels, taverns and brothels, by pert apprentices, by clerks, ſhop-boys, hair-dreſſers, fiddlers, and dancers on the ſtage, (who, in ſuch a commonwealth as yours, will in future overbear, as already they have overborne, the ſober incapacity of dull uninſtructed men, of uſeful but laborious occupations) can never be put into any ſhape, that muſt not be both diſgraceful and deſtructive. The whole of this project, even if it were what it pretends to be, and was not in reality, the dominion, through that diſgraceful medium, of half a dozen, or perhaps fewer, intriguing politicians, is ſo mean, ſo low-minded, ſo ſtupid a contrivance, in point of wiſdom, as well as ſo perfectly deteſtable for its wickedneſs, that I muſt always conſider the correctives which might make it in any degree practicable, to be ſo many new objections to it.

In that wretched ſtate of things, ſome are afraid that the authors of your miſeries may be led to precipitate their further deſigns, by the hints they may receive from the very arguments uſed to expoſe the abſurdity of their ſyſtem, to mark the incongruity of its parts, and its inconſiſtency with their own principles; and that your maſters may be led to render their ſchemes more conſiſtent, by rendering them more miſchievous. Excuſe the liberty which your indulgence authorizes me to take, when I obſerve to you, that ſuch apprehenſions as theſe would prevent all exertion of our faculties in this great cauſe of mankind.

A raſh recourſe to *force* is not to be juſtified in a ſtate of real weakneſs. Such attempts bring on diſgrace; and, in their failure, diſcountenance and diſcourage more rational endeavours. But *reaſon* is to be hazarded, though it may be perverted by craft and ſophiſtry; for reaſon can ſuffer no loſs nor ſhame, nor can it impede any uſeful plan of future policy. In the unavoidable uncertainty, as to the effect, which attends on every meaſure of human prudence, nothing ſeems a ſurer antidote to the poiſon of fraud than its detection. It is true the fraud may be ſwallowed after this diſcovery; and perhaps even ſwallowed the more greedily for being a detected fraud. Men ſometimes make a point of honour not to be diſabuſed; and they had rather fall into an hundred errours

than confeſs one. But after all,—when neither our principles nor our diſpoſitions, nor, perhaps, our talents, enable us to encounter deluſion with deluſion, we muſt uſe our beſt reaſon to thoſe that ought to be reaſonable creatures, and to take our chance for the event. We cannot act on theſe anomalies in the minds of men. I do not conceive that the perſons who have contrived theſe things can be made much the better or the worſe for any thing which can be ſaid to them. *They* are reaſon proof. Here and there, ſome men, who were at firſt carried away by wild good intentions, may be led, when their firſt fervours are abated, to join in a ſober ſurvey of the ſchemes into which they had been deluded. To thoſe only (and I am ſorry to ſay they are not likely to make a large deſcription) we apply with any hope. I may ſpeak it upon an aſſurance almoſt approaching to abſolute knowledge, that nothing has been done that has not been contrived from the beginning, even before the ſtates had aſſembled. *Nulla nova mihi res inopinave ſurgit.* They are the ſame men and the ſame deſigns that they were from the firſt, though varied in their appearance. It was the very ſame animal that at firſt crawled about in the ſhape of a caterpillar, that you now ſee riſe into the air, and expand his wings to the ſun.

Proceeding, therefore, as we are obliged to proceed, that is upon an hypotheſis that we addreſs

rational men, can falſe political principles be more effectually expoſed, than by demonſtrating that they lead to conſequences directly inconſiſtent with and ſubverſive of the arrangements grounded upon them? If this kind of demonſtration is not permitted, the proceſs of reaſoning called *deductio ad abſurdum*, which even the ſeverity of geometry does not reject, could not be employed at all in legiſlative diſcuſſions. One of our ſtrongeſt weapons againſt folly acting with authority, would be loſt.

You know, Sir, that even the virtuous efforts of your patriots to prevent the ruin of your country have had this very turn given to them. It has been ſaid here, and in France too, that the reigning uſurpers would not have carried their tyranny to ſuch deſtructive lengths, if they had not been ſtimulated and provoked to it by the acrimony of your oppoſition. There is a dilemma to which every oppoſition to ſucceſsful iniquity muſt, in the nature of things, be liable. If you lie ſtill, you are conſidered as an accomplice in the meaſures in which you ſilently acquieſce. If you reſiſt, you are accuſed of provoking irritable power to new exceſſes. The conduct of a loſing party never appears right: at leaſt it never can poſſeſs the only infallible criterion of wiſdom to vulgar judgments—ſucceſs.

The indulgence of a ſort of undefined hope, an obſcure

obſcure confidence, that ſome lurking remains of virtue, ſome degree of ſhame, might exiſt in the breaſts of the oppreſſors of France, has been among the cauſes which have helped to bring on the common ruin of king and people. There is no ſafety for honeſt men, but by believing all poſſible evil of evil men, and by acting with promptitude, deciſion and ſteadineſs on that belief. I well remember, at every epocha of this wonderful hiſtory, in every ſcene of this tragick buſineſs, that when your ſophiſtick uſurpers were laying down miſchievous principles, and even applying them in direct reſolutions, it was the faſhion to ſay, that they never intended to execute thoſe declarations in their rigour. This made men careleſs in their oppoſition, and remiſs in early precaution. By holding out this fallacious hope, the impoſtors deluded ſometimes one deſcription of men, and ſometimes another, ſo that no means of reſiſtance were provided againſt them, when they came to execute in cruelty what they had planned in fraud.

There are caſes in which a man would be aſhamed not to have been impoſed on. There is a confidence neceſſary to human intercourſe, and without which men are often more injured by their own ſuſpicions than they would be by the perfidy of others. But when men, whom we *know* to be wicked, impoſe upon us, we are ſomething worſe than dupes. When we know them, their fair

fair pretences become new motives for diſtruſt. There is one caſe indeed, in which it would be madneſs not to give the fulleſt credit to the moſt deceitful of men, that is, when they make declarations of hoſtility againſt us.

I find, that ſome perſons entertain other hopes, which I confeſs appear more ſpecious than thoſe by which at firſt ſo many were deluded and diſarmed. They flatter themſelves that the extreme miſery brought upon the people by their folly, will at laſt open the eyes of the multitude, if not of their leaders. Much the contrary, I fear. As to the leaders in this ſyſtem of impoſture,—you know, that cheats and deceivers never can repent. The fraudulent have no reſource but in fraud. They have no other goods in their magazine. They have no virtue or wiſdom in their minds, to which, in a diſappointment concerning the profitable effects of fraud and cunning, they can retreat. The wearing out of an old, ſerves only to put them upon the invention of a new deluſion. Unluckily too, the credulity of dupes is as inexhauſtible as the invention of knaves. They never give people poſſeſſion; but they always keep them in hope. Your ſtate doctors do not ſo much as pretend that any good whatſoever has hitherto been derived from their operations, or that the publick has proſpered in any one inſtance, under their management. The nation is ſick, very ſick,

by

by their medicines. But the *charlatan* tells them that what is paſt cannot be helped;—they have taken the draught, and they muſt wait its operation with patience;—that the firſt effects indeed are unpleaſant, but that the very ſickneſs is a proof that the doſe is of no ſluggiſh operation;—that ſickneſs is inevitable in all conſtitutional revolutions;—that the body muſt paſs through pain to eaſe;—that the preſcriber is not an empirick who proceeds by vulgar experience, but one who grounds his practice* on the ſure rules of art, which cannot poſſibly fail. You have read, Sir, the laſt manifeſto, or mountebank's bill, of the national aſſembly. You ſee their preſumption in their promiſes is not leſſened by all their failures in the performance. Compare this laſt addreſs of the aſſembly, and the preſent ſtate of your affairs, with the early engagements of that body; engagements which, not content with declaring, they ſolemnly depoſed upon oath, ſwearing luſtily, that if they were ſupported they would make their country glorious and happy; and then judge whether thoſe who can write ſuch things, or thoſe who can bear to read them, are of *themſelves* to be brought to any reaſonable courſe of thought or action.

* It is ſaid in the laſt quackiſh addreſs of the national aſſembly to the people of France, that they have not formed their arrangements upon vulgar practice; but on a theory which cannot fail; or ſomething to that effect.

As

As to the people at large, when once theſe miſerable ſheep have broken the fold, and have got themſelves looſe, not from the reſtraint, but from the protection of all the principles of natural authority, and legitimate ſubordination, they become the natural prey of impoſtors. When they have once taſted of the flattery of knaves, they can no longer endure reaſon, which appears to them only in the form of cenſure and reproach. Great diſtreſs has never hitherto taught, and whilſt the world laſts it never will teach, wiſe leſſons to any part of mankind. Men are as much blinded by the extremes of miſery as by the extremes of proſperity. Deſperate ſituations produce deſperate councils, and deſperate meaſures. The people of France, almoſt generally, have been taught to look for other reſources than thoſe which can be derived from order, frugality, and induſtry. They are generally armed; and they are made to expect much from the uſe of arms. *Nihil non arrogant armis.* Beſides this, the retrograde order of ſociety has ſomething flattering to the diſpoſitions of mankind. The life of adventurers, gameſters, gipſies, beggars, and robbers, is not unpleaſant. It requires reſtraint to keep men from falling into that habit. The ſhifting tides of fear and hope, the flight and purſuit, the peril and eſcape, the alternate famine and feaſt, of the ſavage and the thief, after a time, render all courſe of ſlow, ſteady, progreſſive,

progreſſive, unvaried occupation, and the proſpect only of a limited mediocrity at the end of long labour, to the laſt degree tame, languid, and inſipid. Thoſe who have been once intoxicated with power, and have derived any kind of emolument from it, even though but for one year, never can willingly abandon it. They may be diſtreſſed in the midſt of all their power; but they will never look to any thing but power for their relief. When did diſtreſs ever oblige a prince to abdicate his authority. And what effect will it have upon thoſe who are made to believe themſelves a people of princes?

The more active and ſtirring part of the lower orders having got government, and the diſtribution of plunder, into their hands, they will uſe its reſources in each municipality to form a body of adherents. Theſe rulers, and their adherents, will be ſtrong enough to overpower the diſcontents of thoſe who have not been able to aſſert their ſhare of the ſpoil. The unfortunate adventurers in the cheating lottery of plunder will probably be the leaſt ſagacious, or the moſt inactive and irreſolute of the gang. If, on diſappointment, they ſhould dare to ſtir, they will ſoon be ſuppreſſed as rebels and mutineers by their brother rebels. Scantily fed for a while, with the offal of plunder, they will drop off by degrees; they will be driven out of ſight, and out of thought; and they will be left

left to perish obscurely, like rats, in holes and corners.

From the forced repentance of invalid mutineers and disbanded thieves, you can hope for no resource. Government itself, which ought to constrain the more bold and dextrous of these robbers, is their accomplice. Its arms, its treasures, its all, are in their hands. Judicature, which above all things should awe them, is their creature and their instrument. Nothing seems to me to render your internal situation more desperate than this one circumstance of the state of your judicature. Many days are not passed since we have seen a set of men brought forth by your rulers for a most critical function. Your rulers brought forth a set of men, steaming from the sweat and drudgery, and all black with the smoak and soot of the forge of confiscation and robbery—*ardentis massæ fuligine lippos*, a set of men brought forth from the trade of hammering arms of proof, offensive and defensive, in aid of the enterprises, and for the subsequent protection of housebreakers, murderers, traitors, and malefactors; men, who had their minds seasoned with theories perfectly conformable to their practice, and who had always laughed at possession and prescription, and defied all the fundamental maxims of jurisprudence. To the horrour and stupefaction of all the honest part of this nation, and indeed of all nations

who

who are ſpectators, we have ſeen, on the credit of thoſe very practices and principles, and to carry them further into effect, theſe very men placed on the ſacred ſeat of juſtice in the capital city of your late kingdom. We ſee, that in future, you are to be deſtroyed with more form and regularity. This is not peace; it is only the introduction of a ſort of diſcipline in their hoſtility. Their tyranny is complete, in their juſtice; and their lanterne is not half ſo dreadful as their court.

One would think that out of common decency they would have given you men who had not been in the habit of trampling upon law and juſtice in the aſſembly, neutral men, or men apparently neutral, for judges, who are to diſpoſe of your lives and fortunes.

Cromwell, when he attempted to legalize his power, and to ſettle his conquered country in a ſtate of order, did not look for diſpenſers of juſtice in the inſtruments of his uſurpation. Quite the contrary. He ſought out, with great ſolicitude and ſelection, and even from the party moſt oppoſite to his deſigns, men of weight, and decorum of character; men unſtained with the violence of the times, and with hands not fouled with confiſcation and ſacrilege: for he choſe an *Hales* for his chief juſtice, though he abſolutely refuſed to take his civick oaths, or to make any acknowledgment whatſoever of the legality of his government.

Cromwell

Cromwell told this great lawyer, that ſince he did not approve his title, all he required of him was, to adminiſter, in a manner agreeable to his pure ſentiments and unſpotted character, that juſtice, without which human ſociety cannot ſubſiſt: that it was not his particular government, but civil order itſelf, which as a judge he wiſhed him to ſupport. Cromwell knew how to ſeparate the inſtitutions expedient to his uſurpation from the adminiſtration of the public juſtice of his country. For Cromwell was a man in whom ambition had not wholly ſuppreſſed, but only ſuſpended, the ſentiments of religion, and the love (as far as it could conſiſt with his deſigns) of fair and honourable reputation. Accordingly, we are indebted to this act of his for the preſervation of our laws, which ſome ſenſeleſs aſſertors of the rights of men were then on the point of entirely eraſing, as relicks of feudality and barbariſm. Beſides, he gave in the appointment of that man, to that age, and to all poſterity, the moſt brilliant example of ſincere and fervent piety, exact juſtice, and profound juriſprudence.* But theſe are not the things in which your philoſophick uſurpers chooſe to follow Cromwell.

One would think, that after an honeſt and neceſſary revolution (if they had a mind that theirs ſhould paſs for ſuch) your maſters would

* See Burnet's life of Hales.

have

have imitated the virtuous policy of thoſe who have been at the head of revolutions of that glorious character. Burnet tells us, that nothing tended to reconcile the Engliſh nation to the government of king William ſo much as the care he took to fill the vacant biſhopricks with men who had attracted the publick eſteem by their learning, eloquence, and piety, and above all, by their known moderation in the ſtate. With you, in your purifying revolution, whom have you choſen to regulate the church? Mr. Mirabeau is a fine ſpeaker—and a fine writer,—and a fine—a very fine man;—but really nothing gave more ſurpriſe to every body here, than to find him the ſupreme head of your eccleſiaſtical affairs. The reſt is of courſe. Your aſſembly addreſſes a manifeſto to France, in which they tell the people, with an inſulting irony, that they have brought the church to its primitive condition. In one reſpect their declaration is undoubtedly true; for they have brought it to a ſtate of poverty and perſecution. What can be hoped for after this? Have not men (if they deſerve the name) under this new hope and head of the church, been made biſhops, for no other merit than having acted as inſtruments of atheiſts; for no other merit than having thrown the children's bread to dogs; and in order to gorge the whole gang of uſurers, pedlars, and itinerant Jew-diſcounters at the corners

of ſtreets, ſtarved the poor of their Chriſtian flocks, and their own brother paſtors? Have not ſuch men been made biſhops to adminiſter in temples, in which (if the patriotick donations have not already ſtripped them of their veſſels) the churchwardens ought to take ſecurity for the altar plate, and not ſo much as to truſt the chalice in their ſacrilegious hands, ſo long as Jews have aſſignats on eccleſiaſtick plunder, to exchange for the ſilver ſtolen from churches?

I am told, that the very ſons of ſuch Jew-jobbers have been made biſhops; perſons not to be ſuſpected of any ſort of *Chriſtian* ſuperſtition, fit colleagues to the holy prelate of Autun; and bred at the feet of that Gamaliel. We know who it was that drove the money-changers out of the temple. We ſee too who it is that brings them in again. We have in London very reſpectable perſons of the Jewiſh nation, whom we will keep: but we have of the ſame tribe others of a very different deſcription,—houſebreakers, and receivers of ſtolen goods, and forgers of paper currency, more than we can conveniently hang. Theſe we can ſpare to France, to fill the new epiſcopal thrones: men well verſed in ſwearing; and who will ſcruple no oath which the fertile genius of any of your reformers can deviſe.

In matters ſo ridiculous, it is hard to be grave. On a view of their conſequences, it is almoſt

inhuman

inhuman to treat them lightly. To what a ſtate of ſavage, ſtupid, ſervile inſenſibility muſt your people be reduced, who can endure ſuch proceedings in their church, their ſtate, and their judicature, even for a moment? But the deluded people of France are like other madmen, who, to a miracle, bear hunger, and thirſt, and cold, and confinement, and the chains and laſh of their keeper, whilſt all the while they ſupport themſelves by the imagination that they are generals of armies, prophets, kings, and emperours. As to a change of mind in theſe men, who conſider infamy as honour, degradation as preferment, bondage to low tyrants as liberty, and the practical ſcorn and contumely of their upſtart maſters, as marks of reſpect and homage, I look upon it as abſolutely impracticable. Theſe madmen, to be cured, muſt firſt, like other madmen, be ſubdued. The ſound part of the community, which I believe to be large, but by no means the largeſt part, has been taken by ſurpriſe, and is disjointed, terrified, and diſarmed. That ſound part of the community muſt firſt be put into a better condition, before it can do any thing in the way of deliberation or perſuaſion. This muſt be an act of power, as well as of wiſdom; of power, in the hands of firm, determined patriots, who can diſtinguiſh the miſled from traitors, who will regulate the ſtate (if ſuch ſhould be their fortune) with a diſcriminating,

manly, and provident mercy; men who are purged of the ſurfeit and indigeſtion of ſyſtems, if ever they have been admitted into the habit of their minds; men who will lay the foundation of a real reform, in effacing every veſtige of that philoſophy which pretends to have made diſcoveries in the *terra auſtralis* of morality; men who will fix the ſtate upon theſe baſes of morals and politicks, which are our old, and immemorial, and, I hope, will be our eternal poſſeſſion.

This power, to ſuch men, muſt come from *without*. It may be given to you in pity; for ſurely no nation ever called ſo pathetically on the compaſſion of all its neighbours. It may be given by thoſe neighbours on motives of ſafety to themſelves. Never ſhall I think any country in Europe to be ſecure, whilſt there is eſtabliſhed, in the very centre of it, a ſtate (if ſo it may be called) founded on principles of anarchy, and which is, in reality, a college of armed fanaticks, for the propagation of the principles of aſſaſſination, robbery, rebellion, fraud, faction, oppreſſion, and impiety. *Mahomet*, hid, as for a time he was, in the bottom of the ſands of Arabia, had his ſpirit and character been diſcovered, would have been an object of precaution to provident minds. What if he had erected his fanatick ſtandard for the deſtruction of the Chriſtian religion in *luce Aſiæ*, in the midſt of the then noon-day ſplendour of the then civilized

civilized world? The princes of Europe, in the beginning of this century, did well not to ſuffer the monarchy of France to ſwallow up the others. They ought not now, in my opinion, to ſuffer all the monarchies and commonwealths to be ſwallowed up in the gulph of this polluted anarchy. They may be tolerably ſafe at preſent, becauſe the comparative power of France for the preſent is little. But times and occaſions make dangers. Inteſtine troubles may ariſe in other countries. There is a power always on the watch, qualified and diſpoſed to profit of every conjuncture, to eſtabliſh its own principles and modes of miſchief, wherever it can hope for ſucceſs. What mercy would theſe uſurpers have on other ſovereigns, and on other nations, when they treat their own king with ſuch unparalleled indignities, and ſo cruelly oppreſs their own countrymen?

The king of Pruſſia, in concurrence with us, nobly interfered to ſave Holland from confuſion. The ſame power, joined with the reſcued Holland and with Great Britain, has put the emperour in the poſſeſſion of the Netherlands; and ſecured, under that prince, from all arbitrary innovation, the antient, hereditary conſtitution of thoſe provinces. The chamber of Wetzlar has reſtored the biſhop of Liege, unjuſtly diſpoſſeſſed by the rebellion of his ſubjects. The king of Pruſſia was bound by no treaty, nor alliance of blood, nor had

any particular reaſons for thinking the emperour's government would be more miſchievous or more oppreſſive to human nature than that of the Turk; yet on mere motives of policy that prince has interpoſed with the threat of all his force, to ſnatch even the Turk from the pounces of the imperial eagle. If this is done in favour of a barbarous nation, with a barbarous neglect of police, fatal to the human race, in favour of a nation, by principle in eternal enmity with the chriſtian name; a nation which will not ſo much as give the ſalutation of peace (Salam) to any of us; nor make any pact with any chriſtian nation beyond a truce; —if this be done in favour of the Turk, ſhall it be thought either impolitick, or unjuſt, or uncharitable, to employ the ſame power, to reſcue from captivity a virtuous monarch (by the courteſy of Europe conſidered as Moſt Chriſtian) who, after an intermiſſion of one hundred and ſeventy-five years, had called together the ſtates of his kingdom, to reform abuſes, to eſtabliſh a free government, and to ſtrengthen his throne; a monarch, who at the very outſet, without force, even without ſolicitation, had given to his people ſuch a Magna Charta of privileges, as never was given by any king to any ſubjects?—Is it to be tamely borne by kings who love their ſubjects, or by ſubjects who love their kings, that this monarch, in the midſt of theſe gracious acts, was inſolently and

cruelly

cruelly torn from his palace, by a gang of traitors and aſſaſſins, and kept in cloſe priſon to this very hour, whilſt his royal name and ſacred character were uſed for the total ruin of thoſe whom the laws had appointed him to protect?

The only offence of this unhappy monarch towards his people, was his attempt, under a monarchy, to give them a free conſtitution. For this, by an example hitherto unheard-of in the world, he has been depoſed. It might well diſgrace ſovereigns to take part with a depoſed tyrant. It would ſuppoſe in them a vicious ſympathy. But not to make a common cauſe with a juſt prince, dethroned by traitors and rebels, who proſcribe, plunder, confiſcate, and in every way cruelly oppreſs their fellow-citizens, in my opinion is to forget what is due to the honour, and to the rights of all virtuous and legal government.

I think the king of France to be as much an object both of policy and compaſſion as the Grand Seignior or his ſtates. I do not conceive that the total annihilation of France (if that could be effected) is a deſirable thing to Europe; or even to this, its rival nation. Provident patriots did not think it good for Rome, that even Carthage ſhould be quite deſtroyed; and he was a wiſe Greek, wiſe for the general Grecian intereſts, as well as a brave Lacedemonian enemy, and generous conqueror, who did not wish, by the

deſtruction of Athens, to pluck out the other eye of Greece.

However, Sir, what I have here ſaid of the interference of foreign princes is only the opinion of a private individual; who is neither the repreſentative of any ſtate, nor the organ of any party; but who thinks himſelf bound to expreſs his own ſentiments with freedom and energy in a criſis of ſuch importance to the whole human race.

I am not apprehenſive that in ſpeaking freely on the ſubject of the king and queen of France, I ſhall accelerate (as you fear) the execution of traiterous deſigns againſt them. You are of opinion, Sir, that the uſurpers may, and that they will, gladly lay hold of any pretext to throw off the very name of a king:—aſſuredly I do not wiſh ill to your king; but better for him not to live (he does not reign) than to live the paſſive inſtrument of tyranny and uſurpation.

I certainly meant to ſhew, to the beſt of my power, that the exiſtence of ſuch an executive officer, in ſuch a ſyſtem of republick as theirs, is abſurd in the higheſt degree. But in demonſtrating this—to *them*, at leaſt, I can have made no diſcovery. They only held out the royal name to catch thoſe Frenchmen to whom the name of king is ſtill venerable. They calculate the duration of that ſentiment; and when they find it nearly expiring, they will not trouble themſelves with

with excuſes for extinguiſhing the name, as they have the thing. They uſed it as a ſort of navel-ſtring to nouriſh their unnatural offspring from the bowels of royalty itſelf. Now that the monſter can purvey for its own ſubſiſtence, it will only carry the mark about it, as a token of its having torn the womb it came from. Tyrants ſeldom want pretexts. Fraud is the ready miniſter of injuſtice; and whilſt the currency of falſe pretence and ſophiſtick reaſoning was expedient to their deſigns, they were under no neceſſity of drawing upon me to furniſh them with that coin. But pretexts and ſophiſms have had their day; and have done their work. The uſurpation no longer ſeeks plauſibility. It truſts to power.

Nothing that I can ſay, or that you can ſay, will haſten them by a ſingle hour, in the execution of a deſign which they have long ſince entertained. In ſpite of their ſolemn declarations, their ſoothing addreſſes, and the multiplied oaths which they have taken, and forced others to take, they will aſſaſſinate the king when his name will no longer be neceſſary to their deſigns; but not a moment ſooner. They will probably firſt aſſaſſinate the queen, whenever the renewed menace of ſuch an aſſaſſination loſes its effect upon the anxious mind of an affectionate huſband. At preſent, the advantage which they derive from the daily threats againſt her life, is her only ſecurity

for

for preſerving it. They keep their ſovereign alive for the purpoſe of exhibiting him, like ſome wild beaſt at a fair; as if they had a Bajazet in a cage. They chooſe to make monarchy contemptible by expoſing it to deriſion, in the perſon of the moſt benevolent of their kings.

In my opinion, their inſolence appears more odious even than their crimes. The horrours of the 5th and 6th of October were leſs deteſtable than the feſtival of the 14th of July. There are ſituations (God forbid I ſhould think that of the 5th and 6th of October one of them) in which the beſt men may be confounded with the worſt, and in the darkneſs and confuſion, in the preſs and medley of ſuch extremities, it may not be ſo eaſy to diſcriminate the one from the other. The neceſſities created, even by ill deſigns, have their excuſe. They may be forgotten by others, when the guilty themſelves do not chooſe to cheriſh their recollection, and by ruminating their offences, nouriſh themſelves through the example of their paſt, to the perpetration of future crimes. It is in the relaxation of ſecurity, it is in the expanſion of proſperity, it is in the hour of dilatation of the heart, and of its ſoftening into feſtivity and pleaſure, that the real character of men is diſcerned. If there is any good in them, it appears then or never. Even wolves and tygers, when gorged with their prey, are ſafe and gentle.

It

It is at ſuch times that noble minds give all the reins to their good nature. They indulge their genius even to intemperance, in kindneſs to the afflicted, in generoſity to the conquered; forbearing inſults, forgiving injuries, overpaying benefits. Full of dignity themſelves, they reſpect dignity in all, but they feel it ſacred in the unhappy. But it is then, and baſking in the ſunſhine of unmerited fortune, that low, ſordid, ungenerous, and reptile ſouls ſwell with their hoarded poiſons; it is then that they diſplay their odious ſplendour, and ſhine out in the full luſtre of their native villainy and baſeneſs. It is in that ſeaſon that no man of ſenſe or honour can be miſtaken for one of them. It was in ſuch a ſeaſon, for them of political eaſe and ſecurity, though their people were but juſt emerged from actual famine, and were ready to be plunged into a gulph of penury and beggary, that your philoſophick lords choſe, with an oſtentatious pomp and luxury, to feaſt an incredible number of idle and thoughtleſs people collected, with art and pains, from all quarters of the world. They conſtructed a vaſt amphitheatre in which they raiſed a ſpecies of pillory.* On this pillory they ſet their lawful king and queen, with an inſulting figure over their heads. There they expoſed theſe objects of pity and reſpect to all good

* The pillory (carcan) in England is generally made very high, like that raiſed for expoſing the king of France.

minds,

minds, to the deriſion of an unthinking and unprincipled multitude, degenerated even from the verſatile tenderneſs which marks the irregular and capricious feelings of the populace. That their cruel inſult might have nothing wanting to complete it, they choſe the anniverſary of that day in which they expoſed the life of their prince to the moſt imminent dangers, and the vileſt indignities, juſt following the inſtant when the aſſaſſins, whom they had hired without owning, firſt openly took up arms againſt their king, corrupted his guards, ſurpriſed his caſtle, butchered ſome of the poor invalids of his garriſon, murdered his governour, and, like wild beaſts, tore to pieces the chief magiſtrate of his capital city, on account of his fidelity to his ſervice.

Till the juſtice of the world is awakened, ſuch as theſe will go on, without admonition, and without provocation, to every extremity. Thoſe who have made the exhibition of the 14th of July, are capable of every evil. They do not commit crimes for their deſigns; but they form deſigns that they may commit crimes. It is not their neceſſity, but their nature, that impels them. They are modern philoſophers, which when you ſay of them, you expreſs every thing that is ignoble, ſavage, and hard-hearted.

Beſides the ſure tokens which are given by the ſpirit of their particular arrangements, there are

ſome characteriſtick lineaments in the general policy of your tumultuous deſpotiſm, which, in my opinion, indicate, beyond a doubt, that no revolution whatſoever *in their diſpoſition* is to be expected. I mean their ſcheme of educating the riſing generation, the principles which they intend to inſtil, and the ſympathies which they wiſh to form in the mind, at the ſeaſon in which it is the moſt ſuſceptible. Inſtead of forming their young minds to that docility, to that modeſty, which are the grace and charm of youth, to an admiration of famous examples, and to an averſeneſs to any thing which approaches to pride, petulance, and ſelf-conceit, (diſtempers to which that time of life is of itſelf ſufficiently liable) they artificially foment theſe evil diſpoſitions, and even form them into ſprings of action. Nothing ought to be more weighed than the nature of books recommended by publick authority. So recommended, they ſoon form the character of the age. Uncertain indeed is the efficacy, limited indeed is the extent of a virtuous inſtitution. But if education takes in *vice* as any part of its ſyſtem, there is no doubt but that it will operate with abundant energy, and to an extent indefinite. The magiſtrate, who in favour of freedom thinks himſelf obliged to ſuffer all ſorts of publications, is under a ſtricter duty than any other, well to conſider what ſort of writers he ſhall authorize; and ſhall recommend,

by

by the ſtrongeſt of all ſanctions, that is, by public honours and rewards. He ought to be cautious how he recommends authors of mixed or ambiguous morality. He ought to be fearful of putting into the hands of youth writers indulgent to the peculiarities of their own complexion, leſt they ſhould teach the humours of the profeſſor, rather than the principles of the ſcience. He ought, above all, to be cautious in recommending any writer who has carried marks of a deranged underſtanding; for where there is no ſound reaſon, there can be no real virtue; and madneſs is ever vitious and malignant.

The aſſembly proceeds on maxims the very reverſe of theſe. The aſſembly recommends to its youth a ſtudy of the bold experimenters in morality. Every body knows that there is a great diſpute amongſt their leaders, which of them is the beſt reſemblance to Rouſſeau. In truth, they all reſemble him. His blood they transfuſe into their minds and into their manners. Him they ſtudy; him they meditate; him they turn over in all the time they can ſpare from the laborious miſchief of the day, or the debauches of the night. Rouſſeau is their canon of holy writ; in his life he is their canon of *Polycletus;* he is their ſtandard figure of perfection. To this man and this writer, as a pattern to authors and to Frenchmen, the founderies of Paris are now running for ſtatues, with the kettles

kettles of their poor and the bells of their churches. If an author had written like a great genius on geometry, though his practical and ſpeculative morals were vitious in the extreme, it might appear, that in voting the ſtatue, they honoured only the geometrician. But Rouſſeau is a moraliſt, or he is nothing. It is impoſſible, therefore, putting the circumſtances together, to miſtake their deſign in chooſing the author, with whom they have begun to recommend a courſe of ſtudies.

Their great problem is to find a ſubſtitute for all the principles which hitherto have been employed to regulate the human will and action. They find diſpoſitions in the mind of ſuch force and quality, as may fit men, far better than the old morality, for the purpoſes of ſuch a ſtate as theirs, and may go much further in ſupporting their power, and deſtroying their enemies. They have therefore choſen a ſelfiſh, flattering, ſeductive, oſtentatious vice, in the place of plain duty. True humility, the baſis of the chriſtian ſyſtem, is the low, but deep and firm foundation of all real virtue. But this, as very painful in the practice, and little impoſing in the appearance, they have totally diſcarded. Their object is to merge all natural and all ſocial ſentiment in inordinate vanity. In a ſmall degree, and converſant in little things, vanity is of little moment. When full grown, it is the worſt of vices, and the occaſional mimick of them

them all. It makes the whole man false. It leaves nothing ſincere or truſt-worthy about him. His beſt qualities are poiſoned and perverted by it, and operate exactly as the worſt. When your lords had many writers as immoral as the object of their ſtatue (ſuch as Voltaire and others) they choſe Rouſſeau; becauſe in him that peculiar vice which they wiſhed to erect into ruling virtue, was by far the moſt conſpicuous.

We have had the great profeſſor and founder of *the philoſophy of vanity* in England. As I had good opportunities of knowing his proceedings almoſt from day to day, he left no doubt on my mind, that he entertained no principle either to influence his heart, or to guide his underſtanding, but *vanity*. With this vice he was poſſeſſed to a degree little ſhort of madneſs. It is from the ſame deranged eccentrick vanity, that this, the inſane *Socrates* of the national aſſembly, was impelled to publiſh a mad confeſſion of his mad faults, and to attempt a new ſort of glory, from bringing hardily to light the obſcure and vulgar vices which we know may ſometimes be blended with eminent talents. He has not obſerved on the nature of vanity, who does not know that it is omnivorous; that it has no choice in its food; that it is fond to talk even of its own faults and vices, as what will excite ſurpriſe and draw attention, and what will paſs at worſt for openneſs and candour.

It

It was this abuſe and perverſion, which vanity makes even of hypocriſy, which has driven Rouſſeau to record a life not ſo much as chequered, or ſpotted here and there, with virtues, or even diſtinguiſhed by a ſingle good action. It is ſuch a life he chooſes to offer to the attention of mankind. It is ſuch a life, that, with a wild defiance, he flings in the face of his Creator, whom he acknowledges only to brave. Your aſſembly, knowing how much more powerful example is found than precept, has choſen this man (by his own account without a ſingle virtue) for a model. To him they erect their firſt ſtatue. From him they commence their ſeries of honours and diſtinctions.

It is that new invented virtue which your maſters canonize, that led their moral hero conſtantly to exhauſt the ſtores of his powerful rhetorick in the expreſſion of univerſal benevolence; whilſt his heart was incapable of harbouring one ſpark of common parental affection. Benevolence to the whole ſpecies, and want of feeling for every individual with whom the profeſſors come in contact, form the character of the new philoſophy. Setting up for an unſocial independence, this their hero of vanity refuſes the juſt price of common labour, as well as the tribute which opulence owes to genius, and which, when paid, honours the giver and the receiver; and then he pleads his beggary as an excuſe for his crimes. He melts

with tenderneſs for thoſe only who touch him by the remoteſt relation, and then, without one natural pang, caſts away, as a ſort of offal and excrement, the ſpawn of his diſguſtful amours, and ſends his children to the hoſpital of foundlings. The bear loves, licks, and forms her young; but bears are not philoſophers. Vanity, however, finds its account in reverſing the train of our natural feelings. Thouſands admire the ſentimental writer; the affectionate father is hardly known in his pariſh.

Under this philoſophick inſtructor in the *ethicks of vanity*, they have attempted in France a regeneration of the moral conſtitution of man. Stateſmen, like your preſent rulers, exiſt by every thing which is ſpurious, fictitious, and falſe; by every thing which takes the man from his houſe, and ſets him on a ſtage, which makes him up an artificial creature, with painted theatrick ſentiments, fit to be ſeen by the glare of candle-light, and formed to be contemplated at a due diſtance. Vanity is too apt to prevail in all of us, and in all countries. To the improvement of Frenchmen it ſeems not abſolutely neceſſary that it ſhould be taught upon ſyſtem. But it is plain that the preſent rebellion was its legitimate offspring, and it is piouſly fed by that rebellion with a daily dole.

If the ſyſtem of inſtitution recommended by the aſſembly, is falſe and theatrick, it is becauſe their

their ſyſtem of government is of the ſame character. To that, and to that alone, it is ſtrictly conformable. To underſtand either, we muſt connect the morals with the politicks of the legiſlators. Your practical philoſophers, ſyſtematick in every thing, have wiſely began at the ſource. As the relation between parents and children is the firſt among the elements of vulgar, natural morality *, they erect ſtatues to a wild, ferocious, low-minded, hard-hearted father, of fine general feelings; a lover of his kind, but a hater of his kindred. Your maſters reject the duties of this vulgar relation, as contrary to liberty; as not founded in the ſocial compact; and not binding according to the rights of men; becauſe the relation is not, of courſe, the reſult of *free election*; never ſo on the ſide of the children, not always on the part of the parents.

The next relation which they regenerate by their ſtatues to Rouſſeau, is that which is next in ſanctity to that of a father. They differ from thoſe old-faſhioned thinkers, who conſidered pedagogues as ſober and venerable characters, and allied to the parental. The moraliſts of the dark times, *preceptorem*

* Filiola tua te delectari lætor et probari tibi φυσικην εſſe τὴν προς τα τεκνα: etenim, ſi hæc non eſt, nulla poteſt homini eſſe ad hominem naturæ adjunctio: qua ſublata vitæ ſocietas tollitur. Valete Patron (Rouſſeau) et tui condiſcipuli! (L'Aſſemblée Nationale.)—Cic. Ep. ad Atticum.

ſancti voluere parentis eſſe loco. In this age of light, they teach the people, that preceptors ought to be in the place of gallants. They ſyſtematically corrupt a very corruptible race, (for ſome time a growing nuiſance amongſt you) a ſet of pert petulant literators, to whom, inſtead of their proper, but ſevere unoſtentatious duties, they aſſign the brilliant part of men of wit and pleaſure, of gay, young, military ſparks, and danglers at toilets. They call on the riſing generation in France, to take a ſympathy in the adventures and fortunes, and they endeavour to engage their ſenſibility on the ſide of pedagogues, who betray the moſt awful family truſts, and vitiate their female pupils. They teach the people, that the debauchers of virgins, almoſt in the arms of their parents, may be ſafe inmates in their houſe, and even fit guardians of the honour of thoſe huſbands who ſucceed legally to the office which the young literators had pre-occupied, without aſking leave of law or conſcience.

Thus they diſpoſe of all the family relations of parents and children, huſbands and wives. Through this ſame inſtructor, by whom they corrupt the morals, they corrupt the taſte. Taſte and elegance, though they are reckoned only among the ſmaller and ſecondary morals, yet are of no mean importance in the regulation of life. A moral taſte is not of force to turn vice into virtue; but it recommends virtue with ſomething like the

blandiſhments of pleaſure; and it infinitely abates the evils of vice. Rouſſeau, a writer of great force and vivacity, is totally deſtitute of taſte in any ſenſe of the word. Your maſters, who are his ſcholars, conceive that all refinement has an ariſtocratick character. The laſt age had exhauſted all its powers in giving a grace and nobleneſs to our natural appetites, and in raiſing them into higher claſs and order than ſeemed juſtly to belong to them. Through Rouſſeau, your maſters are reſolved to deſtroy theſe ariſtocratick prejudices. The paſſion called love, has ſo general and powerful an influence; it makes ſo much of the entertainment, and indeed ſo much the occupation of that part of life which decides the character for ever, that the mode and the principles on which it engages the ſympathy, and ſtrikes the imagination, become of the utmoſt importance to the morals and manners of every ſociety. Your rulers were well aware of this; and in their ſyſtem of changing your manners to accommodate them to their politicks, they found nothing ſo convenient as Rouſſeau. Through him they teach men to love after the faſhion of philoſophers; that is, they teach to men, to Frenchmen, a love without gallantry; a love without any thing of that fine flower of youthfulneſs and gentility, which places it, if not among the virtues, among the ornaments of life. Inſtead of this paſſion, naturally allied to

grace and manners, they infuſe into their youth an unfaſhioned, indelicate, ſour, gloomy, ferocious medley of pedantry and lewdneſs; of metaphyſical ſpeculations, blended with the coarſeſt ſenſuality. Such is the general morality of the paſſions to be found in their famous philoſopher, in his famous work of philoſophick gallantry, the *Nouvelle Eloiſe*.

When the fence from the gallantry of preceptors is broken down, and your families are no longer protected by decent pride, and ſalutary domeſtick prejudice, there is but one ſtep to a frightful corruption. The rulers in the national aſſembly are in good hopes that the females of the firſt families in France, may become an eaſy prey to dancing-maſters, fiddlers, pattern-drawers, friſeurs, and valets de chambre, and other active citizens of that deſcription, who having the entry into your houſes, and being half domeſticated by their ſituation, may be blended with you by regular and irregular relations. By a law, they have made theſe people their equals. By adopting the ſentiments of Rouſſeau, they have made them your rivals. In this manner, theſe great legiſlators complete their plan of levelling, and eſtabliſh their rights of men on a ſure foundation.

I am certain that the writings of Rouſſeau lead directly to this kind of ſhameful evil. I have often wondered how he comes to be ſo much more

admired and followed on the continent than he is here. Perhaps a ſecret charm in the language may have its ſhare in this extraordinary difference. We certainly perceive, and to a degree we feel, in this writer, a ſtyle glowing, animated, enthuſiaſtick; at the ſame time that we find it lax, diffuſe, and not in the beſt taſte of compoſition; all the members of the piece being pretty equally laboured and expanded, without any due ſelection or ſubordination of parts. He is generally too much on the ſtretch, and his manner has little variety. We cannot reſt upon any of his works, though they contain obſervations which occaſionally diſcover a conſiderable inſight into human nature. But his doctrines, on the whole, are ſo inapplicable to real life and manners, that we never dream of drawing from them any rule for laws or conduct, or for fortifying or illuſtrating any thing by a reference to his opinions. They have with us the fate of older paradoxes,

Cum ventum ad verum *eſt* ſenſus morefque *repugnant,*
Atque ipſa utilitas juſti prope mater et æqui.

Perhaps bold ſpeculations are more acceptable, becauſe more new to you than to us, who have been long ſince ſatiated with them. We continue, as in the two laſt ages, to read more generally, than I believe is now done on the continent, the

authors of ſound antiquity. Theſe occupy our minds. They give us another taſte and turn; and will not ſuffer us to be more than tranſiently amuſed with paradoxical morality. It is not that I conſider this writer as wholly deſtitute of juſt notions. Amongſt his irregularities, it muſt be reckoned that he is ſometimes moral, and moral in a very ſublime ſtrain. But the *general ſpirit and tendency* of his works is miſchievous; and the more miſchievous for this mixture: For, perfect depravity of ſentiment is not reconcileable with eloquence; and the mind (though corruptible, not complexionally vicious) would reject and throw off with diſguſt, a leſſon of pure and unmixed evil. Theſe writers make even virtue a pander to vice.

However, I leſs conſider the author, than the ſyſtem of the aſſembly in perverting morality, through his means. This I confeſs makes me nearly deſpair of any attempt upon the minds of their followers, through reaſon, honour, or conſcience. The great object of your tyrants, is to deſtroy the gentlemen of France; and for that purpoſe they deſtroy, to the beſt of their power, all the effect of thoſe relations which may render conſiderable men powerful or even ſafe. To deſtroy that order, they vitiate the whole community. That no means may exiſt of confederating againſt their tyranny, by the falſe ſympathies of

this

this Nouvelle Eloiſe, they endeavour to ſubvert thoſe principles of domeſtick truſt and fidelity, which form the diſcipline of ſocial life. They propagate principles by which every ſervant may think it, if not his duty, at leaſt his privilege, to betray his maſter. By theſe principles, every conſiderable father of a family loſes the ſanctuary of his houſe. *Debet ſua cuique domus eſſe perfugium tutiſſimum*, ſays the law, which your legiſlators have taken ſo much pains firſt to decry, then to repeal. They deſtroy all the tranquillity and ſecurity of domeſtick life; turning the aſylum of the houſe into a gloomy priſon, where the father of the family muſt drag out a miſerable exiſtence, endangered in proportion to the apparent means of his ſafety; where he is worſe than ſolitary in a croud of domeſticks, and more apprehenſive from his ſervants and inmates, than from the hired blood-thirſty mob without doors, who are ready to pull him to the lanterne.

It is thus, and for the ſame end, that they endeavour to deſtroy that tribunal of conſcience which exiſts independently of edicts and decrees. Your deſpots govern by terrour. They know, that he who fears God fears nothing elſe; and therefore they eradicate from the mind, through their Voltaire, their Helvetius, and the reſt of that infamous gang, that only ſort of fear which generates true courage. Their object is, that their fellow

fellow citizens may be under the dominion of no awe, but that of their committee of reſearch, and of their lanterne.

Having found the advantage of aſſaſſination in the formation of their tyranny, it is the grand reſource in which they truſt for the ſupport of it. Whoever oppoſes any of their proceedings, or is ſuſpected of a deſign to oppoſe them, is to anſwer it with his life, or the lives of his wife and children. This infamous, cruel, and cowardly practice of aſſaſſination, they have the impudence to call *merciful*. They boaſt that they operated their uſurpation rather by terrour than by force; and that a few ſeaſonable murders have prevented the bloodſhed of many battles. There is no doubt they will extend theſe acts of mercy whenever they ſee an occaſion. Dreadful, however, will be the conſequences of their attempt to avoid the evils of war, by the merciful policy of murder. If, by effectual puniſhment of the guilty, they do not wholly diſavow that practice, and the threat of it too, as any part of their policy; if ever a foreign prince enters into France, he muſt enter it as into a country of aſſaſſins. The mode of civilized war will not be practiſed; nor are the French who act on the preſent ſyſtem entitled to expect it. They, whoſe known policy is to aſſaſſinate every citizen whom they ſuſpect to be diſcontented by their tyranny, and to corrupt the

ſoldiery

ſoldiery of every open enemy, muſt look for no modified hoſtility. All war, which is not battle, will be military execution. This will beget acts of retaliation from you; and every retaliation will beget a new revenge. The hell-hounds of war, on all ſides, will be uncoupled and unmuzzled. The new ſchool of murder and barbariſm, ſet up in Paris, having deſtroyed (ſo far as in it lies) all the other manners and principles which have hitherto civilized Europe, will deſtroy alſo the mode of civilized war, which, more than any thing elſe, has diſtinguiſhed the Chriſtian world. Such is the approaching golden age, which the * Virgil of your aſſembly has ſung to his Pollios!

In ſuch a ſituation of your political, your civil, and your ſocial morals and manners, how can you be hurt by the freedom of any diſcuſſion? Caution is for thoſe who have ſomething to loſe. What I have ſaid to juſtify myſelf in not apprehending any ill conſequence from a free diſcuſſion of the abſurd conſequences which flow from the relation of the lawful king to the uſurped conſtitution, will apply to my vindication with regard to the expoſure I have made of the ſtate of the army under the ſame ſophiſtick uſurpation. The preſent tyrants want no arguments to prove, what they muſt daily feel, that no good army can exiſt

* Mirabeau's ſpeech concerning univerſal peace.

on their principles. They are in no want of a monitor to ſuggeſt to them the policy of getting rid of the army, as well as of the king, whenever they are in a condition to effect that meaſure. What hopes may be entertained of your army for the reſtoration of your liberties, I know not. At preſent, yielding obedience to the pretended orders of a king, who, they are perfectly appriſed, has no will, and who never can iſſue a mandate which is not intended, in the firſt operation, or in its certain conſequences, for his own deſtruction, your army ſeems to make one of the principal links in the chain of that ſervitude of anarchy, by which a cruel uſurpation holds an undone people at once in bondage and confuſion.

You aſk me what I think of the conduct of general Monk. How this affects your caſe, I cannot tell. I doubt whether you poſſeſs, in France, any perſons of a capacity to ſerve the French monarchy in the ſame manner in which Monk ſerved the monarchy of England. The army which Monk commanded had been formed by Cromwell to a perfection of diſcipline which perhaps has never been exceeded. That army was beſides of an excellent compoſition. The ſoldiers were men of extraordinary piety after their mode, of the greateſt regularity, and even ſeverity of manners; brave in the field, but modeſt, quiet and orderly, in their quarters; men who abhorred

the

the idea of aſſaſſinating their officers or any other perſons; and who (they at leaſt who ſerved in this iſland) were firmly attached to thoſe generals, by whom they were well treated and ably commanded. Such an army, once gained, might be depended on. I doubt much, if you could now find a Monk, whether a Monk could find in France ſuch an army.

I certainly agree with you, that in all probability we owe our whole conſtitution to the reſtoration of the Engliſh monarchy. The ſtate of things from which Monk relieved England, was however by no means, at that time, ſo deplorable in any ſenſe, as yours is now, and under the preſent ſway is likely to continue. Cromwell had delivered England from anarchy. His government, though military and deſpotick, had been regular and orderly. Under the iron, and under the yoke, the ſoil yielded its produce. After his death, the evils of anarchy were rather dreaded than felt. Every man was yet ſafe in his houſe and in his property. But it muſt be admitted, that Monk freed this nation from great and juſt apprehenſions both of future anarchy and of probable tyranny in ſome form or other. The king whom he gave us was indeed the very reverſe of your benignant ſovereign, who in reward for his attempt to beſtow liberty on his ſubjects, languiſhes himſelf in priſon. The perſon given to us by

Monk

Monk was a man without any ſenſe of his duty as a prince; without any regard to the dignity of his crown; without any love to his people; diſſolute, falſe, venal, and deſtitute of any poſitive good quality whatſoever, except a pleaſant temper, and the manners of a gentleman. Yet the reſtoration of our monarchy, even in the perſon of ſuch a prince, was every thing to us; for without monarchy in England, moſt certainly we never can enjoy either peace or liberty. It was under this conviction that the very firſt regular ſtep which we took on the revolution of 1688, was to fill the throne with a real king; and even before it could be done in due form, the chiefs of the nation did not attempt themſelves to exerciſe authority ſo much as by *interim*. They inſtantly requeſted the prince of Orange to take the government on himſelf. The throne was not effectively vacant for an hour.

Your fundamental laws, as well as ours, ſuppoſe a monarchy. Your zeal, Sir, in ſtanding ſo firmly for it as you have done, ſhews not only a ſacred reſpect for your honour and fidelity, but a well-informed attachment to the real welfare and true liberties of your country. I have expreſſed myſelf ill, if I have given you cauſe to imagine, that I prefer the conduct of thoſe who have retired from this warfare to your behaviour, who, with a courage and conſtancy almoſt ſupernatural,

have

have ſtruggled againſt tyranny, and kept the field to the laſt. You ſee I have corrected the exceptionable part in the edition which I now ſend you. Indeed, in ſuch terrible extremities as yours, it is not eaſy to ſay, in a political view, what line of conduct is the moſt adviſeable. In that ſtate of things, I cannot bring myſelf ſeverely to condemn perſons who are wholly unable to bear ſo much as the ſight of thoſe men in the throne of legiſlation, who are only fit to be the objects of criminal juſtice. If fatigue, if diſguſt, if unſurmountable nauſea, drive them away from ſuch ſpectacles, *ubi miſeriarum pars non minima erat, videre et aſpici*, I cannot blame them. He muſt have an heart of adamant who could hear a ſet of traitors puffed up with unexpected and undeſerved power, obtained by an ignoble, unmanly, and perfidious rebellion, treating their honeſt fellow citizens as *rebels*, becauſe they refuſed to bind themſelves through their conſcience, againſt the dictates of conſcience itſelf, and had declined to ſwear an active compliance with their own ruin. How could a man of common fleſh and blood endure, that thoſe, who but the other day had ſkulked unobſerved in their antichambers, ſcornfully inſulting men, illuſtrious in their rank, ſacred in their function, and venerable in their character, now in decline of life, and ſwimming on the wrecks of their fortunes, that thoſe miſcreants

ſhould

ſhould tell ſuch men ſcornfully and outrageouſly, after they had robbed them of all their property, that it is more than enough if they are allowed what will keep them from abſolute famine, and that for the reſt, they muſt let their grey hairs fall over the plough, to make out a ſcanty ſubſiſtence with the labour of their hands! Laſt, and worſt, who could endure to hear this unnatural, inſolent, and ſavage deſpotiſm called liberty? If, at this diſtance, ſitting quietly by my fire, I cannot read their decrees and ſpeeches without indignation, ſhall I condemn thoſe who have fled from the actual ſight and hearing of all theſe horrours? No, no! mankind has no title to demand that we ſhould be ſlaves to their guilt and inſolence; or that we ſhould ſerve them in ſpite of themſelves. Minds, ſore with the poignant ſenſe of inſulted virtue, filled with high diſdain againſt the pride of triumphant baſeneſs, often have it not in their choice to ſtand their ground. Their complexion (which might defy the rack) cannot go through ſuch a trial. Something very high muſt fortify men to that proof. But when I am driven to compariſon, ſurely I cannot heſitate for a moment to prefer to ſuch men as are common, thoſe heroes, who, in the midſt of deſpair, perform all the taſks of hope; who ſubdue their feelings to their duties; who, in the cauſe of humanity, liberty, and honour, abandon all the ſatisfactions of life,

life, and every day incur a freſh riſk of life itſelf. Do me the juſtice to believe that I never can prefer any faſtidious virtue (virtue ſtill) to the unconquered perſeverance, to the affectionate patience of thoſe who watch day and night, by the bed-ſide of their delirious country, who, for their love to that dear and venerable name, bear all the diſguſts, and all the buffets they receive from their frantick mother. Sir, I do look on you as true martyrs; I regard you as ſoldiers who act far more in the ſpirit of our Commander in chief, and the Captain of our ſalvation, than thoſe who have left you; though I muſt firſt bolt myſelf very thoroughly, and know that I could do better, before I can cenſure them. I aſſure you, Sir, that, when I conſider your unconquerable fidelity to your ſovereign, and to your country; the courage, fortitude, magnanimity, and long-ſuffering of yourſelf, and the Abbé Maury, and of Mr. Cazales, and of many worthy perſons of all orders, in your aſſembly, I forget, in the luſtre of theſe great qualities, that on your ſide has been diſplayed an eloquence ſo rational, manly, and convincing, that no time or country, perhaps, has ever excelled. But your talents diſappear in my admiration of your virtues.

As to Mr. Mounier and Mr. Lally, I have always wiſhed to do juſtice to their parts, and their eloquence, and the general purity of their motives.

Indeed I ſaw very well from the beginning, the miſchiefs which, with all theſe talents and good intentions, they would do their country, through their confidence in ſyſtems. But their diſtemper was an epidemick malady. They were young and inexperienced; and when will young and inexperienced men learn caution and diſtruſt of themſelves? And when will men, young or old, if ſuddenly raiſed to far higher power than that which abſolute kings and emperours commonly enjoy, learn any thing like moderation? Monarchs in general reſpect ſome ſettled order of things, which they find it difficult to move from its baſis, and to which they are obliged to conform, even when there are no poſitive limitations to their power. Theſe gentlemen conceived that they were choſen to new model the ſtate, and even the whole order of civil ſociety itſelf. No wonder that *they* entertained dangerous viſions, when the king's miniſters, truſtees for the ſacred depoſit of the monarchy, were ſo infected with the contagion of project and ſyſtem (I can hardly think it black premeditated treachery), that they publickly advertiſed for plans and ſchemes of government, as if they were to provide for the rebuilding of an hoſpital that had been burned down. What was this, but to unchain the fury of raſh ſpeculation amongſt a people, of itſelf but too apt to be guided by a heated imagination, and a wild ſpirit of adventure? The

The fault of Mr. Mounier and Mr, Lally was very great; but it was very general. If thoſe gentlemen ſtopped when they came to the brink of the gulf of guilt and publick miſery, that yawned before them in the abyſs of theſe dark and bottomleſs ſpeculations, I forgive their firſt errour: in that they were involved with many. Their repentance was their own.

They who conſider Mounier and Lally as deſerters, muſt regard themſelves as murderers and as traitors; for from what else than murder and treaſon did they deſert? For my part, I honour them for not having carried miſtake into crime. If, indeed, I thought that they were not cured by experience; that they were not made ſenſible that thoſe who would reform a ſtate, ought to aſſume ſome actual conſtitution of government which is to be reformed; if they are not at length ſatisfied that it is become a neceſſary preliminary to liberty in France, to commence by the re-eſtabliſhment of order and property of *every* kind, and, through the re-eſtabliſhment of their monarchy, of every one of the old habitual diſtinctions and claſſes of the ſtate; if they do not ſee that theſe claſſes are not to be confounded in order to be afterwards revived and ſeparated; if they are not convinced that the ſcheme of parochial and club governments takes up the ſtate at the wrong end, and is a low and ſenſeleſs contrivance (as making the

ſole conſtitution of a ſupreme power) I ſhould then allow, that their early raſhneſs ought to be remembered to the laſt moment of their lives.

You gently reprehend me, becauſe in holding out the picture of your diſaſtrous ſituation, I ſuggeſt no plan for a remedy. Alas! Sir, the propoſition of plans, without an attention to circumſtances, is the very cauſe of all your misfortunes; and never ſhall you find me aggravating, by the infuſion of any ſpeculations of mine, the evils which have ariſen from the ſpeculations of others. Your malady, in this reſpect, is a diſorder of repletion. You ſeem to think, that my keeping back my poor ideas, may ariſe from an indifference to the welfare of a foreign, and ſometimes an hoſtile nation. No, Sir, I faithfully aſſure you, my reſerve is owing to no ſuch cauſes. Is this letter, ſwelled to a ſecond book, a mark of national antipathy, or even of national indifference? I ſhould act altogether in the ſpirit of the ſame caution, in a ſimilar ſtate of our own domeſtick affairs. If I were to venture any advice, in any caſe, it would be my beſt. The ſacred duty of an adviſer (one of the moſt inviolable that exiſts) would lead me, towards a real enemy, to act as if my beſt friend were the party concerned. But I dare not riſk a ſpeculation, with no better view of your affairs than at preſent I can command; my caution is not from diſregard, but from ſolicitude for

your

your welfare. It is ſuggeſted ſolely from my dread of becoming the author of inconſiderate counſel.

It is not, that as this ſtrange ſeries of actions has paſſed before my eyes, I have not indulged my mind in a great variety of political ſpeculations concerning them. But compelled by no ſuch poſitive duty as does not permit me to evade an opinion: called upon by no ruling power, without authority as I am, and without confidence, I ſhould ill anſwer my own ideas of what would become myſelf, or what would be ſerviceable to others, if I were, as a volunteer, to obtrude any project of mine upon a nation, to whoſe circumſtances I could not be ſure it might be applicable.

Permit me to ſay, that if I were as confident, as I ought to be diffident in my own looſe, general ideas, I never ſhould venture to broach them, if but at twenty leagues diſtance from the centre of your affairs. I muſt ſee with my own eyes, I muſt, in a manner, touch with my own hands, not only the fixed, but the momentary circumſtances, before I could venture to ſuggeſt any political project whatſoever. I muſt know the power and diſpoſition to accept, to execute, to perſevere. I muſt ſee all the aids, and all the obſtacles. I muſt ſee the means of correcting the plan, where correctives would be wanted. I muſt ſee the things; I muſt ſee the men. Without a

concurrence and adaptation of these to the design, the very best speculative projects might become not only useless but mischievous. Plans must be made for men. We cannot think of making men, and binding nature to our designs. People at a distance must judge ill of men. They do not always answer to their reputation when you approach them. Nay, the perspective varies, and shews them quite otherwise than you thought them. At a distance, if we judge uncertainly of men, we must judge worse of *opportunities*, which continually vary their shapes and colours, and pass away like clouds. The Eastern politicians never do any thing without the opinion of the astrologers on the *fortunate moment*. They are in the right, if they can do no better: for the opinion of fortune is something towards commanding it. Statesmen of a more judicious prescience, look for the fortunate moment too; but they seek it, not in the conjunctions and oppositions of planets, but in the conjunctions and oppositions of men and things. These form their almanack.

To illustrate the mischief of a wise plan, without any attention to means and circumstances, it is not necessary to go farther than to your recent history. In the condition in which France was found three years ago, what better system could be proposed, what less, even favouring of wild theory, what fitter to provide for all the exigencies,

whilst

whilſt it reformed all the abuſes of government, than the convention of the ſtates general? I think, nothing better could be imagined. But I have cenſured, and do ſtill preſume to cenſure your parliament of Paris, for not having ſuggeſted to the king, that this proper meaſure was of all meaſures the moſt critical and arduous; one in which the utmoſt circumſpection, and the greateſt number of precautions, were the moſt abſolutely neceſſary. The very confeſſion that a government wants either amendment in its conformation, or relief to great diſtreſs, cauſes it to loſe half its reputation, and as great a proportion of its ſtrength as depends upon that reputation. It was therefore neceſſary, firſt to put government out of danger, whilſt at its own deſire it ſuffered ſuch an operation, as a general reform at the hands of thoſe who were much more filled with a ſenſe of the diſeaſe, than provided with rational means of a cure.

It may be ſaid, that this care, and theſe precautions, were more naturally the duty of the king's miniſters, than that of the parliament. They were ſo; but every man muſt anſwer in his eſtimation for the advice he gives, when he puts the conduct of his meaſure into hands who he does not know will execute his plans according to his ideas. Three or four miniſters were not to be truſted with the being of the French monarchy, of all the orders,

and of all the diſtinctions, and all the property of the kingdom. What muſt be the prudence of thoſe who could think, in the then known temper of the people of Paris, of aſſembling the ſtates at a place ſituated as Verſailles?

The parliament of Paris did worſe than to inſpire this blind confidence into the king. For, as if names were things, they took no notice of (indeed they rather countenanced) the deviations which were manifeſt in the execution, from the true antient principles of the plan which they recommended. Theſe deviations (as guardians of the antient laws, uſages, and conſtitution of the kingdom) the parliament of Paris ought not to have ſuffered, without the ſtrongeſt remonſtrances to the throne. It ought to have ſounded the alarm to the whole nation, as it had often done on things of infinitely leſs importance. Under pretence of reſuſcitating the antient conſtitution, the parliament ſaw one of the ſtrongeſt acts of innovation, and the moſt leading in its conſequences, carried into effect before their eyes; and an innovation through the medium of deſpotiſm; that is, they ſuffered the king's miniſters to new model the whole repreſentation of the *tiers etat*, and, in a great meaſure, that of the clergy too, and to deſtroy the antient proportions of the orders. Theſe changes, unqueſtionably the king had no right to make; and here the parliaments failed in

their

their duty, and along with their country, have periſhed by this failure.

What a number of faults have led to this multitude of misfortunes, and almoſt all from this one ſource, that of conſidering certain general maxims, without attending to circumſtances, to times, to places, to conjunctures, and to actors! If we do not attend ſcrupulouſly to all theſe, the medicine of to-day becomes the poiſon of to-morrow. If any meaſure was in the abſtract better than another, it was to call the ſtates—*ea viſa ſalus morientibus una.*—Certainly it had the appearance.—But ſee the conſequences of not attending to critical moments, of not regarding the ſymptoms which diſcriminate diſeaſes, and which diſtinguiſh conſtitutions, complexions, and humours:

Mox erat hoc ipſum exitio; furiiſque refecti,
Ardebant; ipſique ſuos, jam morte ſub ægra,
Diſciſſos nudis laniabant dentibus artus.

Thus the potion which was given to ſtrengthen the conſtitution, to heal diviſions, and to compoſe the minds of men, became the ſource of debility, phrenzy, diſcord, and utter diſſolution.

In this, perhaps, I have anſwered, I think, another of your queſtions—Whether the Britiſh conſtitution is adapted to your circumſtances? When I praiſed the Britiſh conſtitution, and wiſhed

it

it to be well ſtudied, I did not mean that its exterior form and poſitive arrangement ſhould become a model for you, or for any people ſervilely to copy. I meant to recommend the *principles* from which it has grown, and the policy on which it has been progreſſively improved out of elements common to you and to us. I am ſure it is no viſionary theory of mine. It is not an advice that ſubjects you to the hazard of any experiment. I believed the antient principles to be wiſe in all caſes of a large empire that would be free. I thought you poſſeſſed our principles in your old forms, in as great a perfection as we did originally. If your ſtates agreed (as I think they did) with your circumſtances, they were beſt for you. As you had a conſtitution formed upon principles ſimilar to ours, my idea was, that you might have improved them as we have done, conforming them to the ſtate and exigencies of the times, and the condition of property in your country, having the conſervation of that property, and the ſubſtantial baſis of your monarchy, as principal objects in all your reforms.

I do not adviſe an houſe of lords to you. Your antient courſe by repreſentatives of the nobleſſe (in your circumſtances) appears to me rather a better inſtitution. I know, that with you, a ſet of men of rank have betrayed their conſtituents, their honour, their truſt, their king, and their country,

country, and levelled themſelves with their footmen, that through this degradation they might afterwards put themſelves above their natural equals. Some of theſe perſons have entertained a project, that in reward of this their black perfidy and corruption, they may be choſen to give riſe to a new order, and to eſtabliſh themſelves into an houſe of lords. Do you think that, under the name of a Britiſh conſtitution, I mean to recommend to you ſuch lords, made of ſuch kind of ſtuff? I do not however include in this deſcription all of thoſe who are fond of this ſcheme.

If you were now to form ſuch an houſe of peers, it would bear, in my opinion, but little reſemblance to ours in its origin, character, or the purpoſes which it might anſwer, at the ſame time that it would deſtroy your true natural nobility. But if you are not in a condition to frame an houſe of lords, ſtill leſs are you capable, in my opinion, of framing any thing which virtually and ſubſtantially could be anſwerable (for the purpoſes of a ſtable, regular government) to our houſe of commons. That houſe is, within itſelf, a much more ſubtle and artificial combination of parts and powers, than people are generally aware of. What knits it to the other members of the conſtitution; what fits it to be at once the great ſupport, and the great controul of government; what makes it of ſuch admirable ſervice to that monarchy which,

which, if it limits, it ſecures and ſtrengthens, would require a long diſcourſe, belonging to the leiſure of a contemplative man, not to one whoſe duty it is to join in communicating practically to the people the bleſſings of ſuch a conſtitution.

Your *tiers etat* was not in effect and ſubſtance a houſe of commons. You ſtood in abſolute need of ſomething elſe to ſupply the manifeſt defects in ſuch a body as your tiers etat. On a ſober and diſpaſſionate view of your old conſtitution, as connected with all the preſent circumſtances, I was fully perſuaded, that the crown, ſtanding as things have ſtood (and are likely to ſtand, if you are to have any monarchy at all) was and is incapable, alone and by itſelf, of holding a juſt balance between the two orders, and at the ſame time of effecting the interiour and exterior purpoſes of a protecting government. I, whoſe leading principle it is, in a reformation of the ſtate, to make uſe of exiſting materials, am of opinion, that the repreſentation of the clergy, as a ſeparate order, was an inſtitution which touched all the orders more nearly than any of them touched the other; that it was well fitted to connect them; and to hold a place in any wiſe monarchical commonwealth. If I refer you to your original conſtitution, and think it, as I do, ſubſtantially a good one, I do not amuſe you in this, more than in other things, with any inventions of mine. A certain

certain intemperance of intellect is the diſeaſe of the time, and the ſource of all its other diſeaſes. I will keep myſelf as untainted by it as I can. Your architects build without a foundation. I would readily lend an helping hand to any ſuperſtructure, when once this is effectually ſecured—but firſt I would ſay δος πα στω.

You think, Sir, and you may think rightly, upon the firſt view of the theory, that to provide for the exigencies of an empire, ſo ſituated and ſo related as that of France, its king ought to be inveſted with powers very much ſuperiour to thoſe which the king of England poſſeſſes under the letter of our conſtitution. Every degree of power neceſſary to the ſtate, and not deſtructive to the rational and moral freedom of individuals, to that perſonal liberty, and perſonal ſecurity, which contribute ſo much to the vigour, the proſperity, the happineſs, and the dignity of a nation—every degree of power which does not ſuppoſe the total abſence of all controul, and all reſponſibility on the part of miniſters,—a king of France, in common ſenſe, ought to poſſeſs. But whether the exact meaſure of authority, aſſigned by the letter of the law to the king of Great Britain, can anſwer to the exterior or interiour purpoſes of the French monarchy is a point which I cannot venture to judge upon. Here, both in the power given, and its

its limitations, we have always cautiously felt our way. The parts of our conſtitution have gradually, and almoſt inſenſibly, in a long courſe of time, accommodated themſelves to each other, and to their common, as well as to their ſeparate purpoſes. But this adaptation of contending parts, as it has not been in ours, ſo it can never be in your's, or in any country, the effect of a ſingle inſtantaneous regulation, and no ſound heads could ever think of doing it in that manner.

I believe, Sir, that many on the continent altogether miſtake the condition of a king of Great Britain. He is a real king, and not an executive officer. If he will not trouble himſelf with contemptible details, nor with to degrade himſelf by becoming a party in little ſquabbles, I am far from ſure, that a king of Great Britain, in whatever concerns him as a king, or indeed as a rational man, who combines his public intereſt with his perſonal ſatisfaction, does not poſſeſs a more real, ſolid, extenſive power, than the king of France was poſſeſſed of before this miſerable revolution. The direct power of the king of England is conſiderable. His indirect, and far more certain power, is great indeed. He ſtands in need of nothing towards dignity; of nothing towards ſplendour; of nothing towards authority; of nothing at all towards conſideration abroad. When was

it

it that a king of England wanted wherewithal to make him reſpected, courted, or perhaps even feared in every ſtate in Europe?

I am conſtantly of opinion, that your ſtates, in three orders, on the footing on which they ſtood in 1614, were capable of being brought into a proper and harmonious combination with royal authority. This conſtitution by eſtates, was the natural and only juſt repreſentation of France. It grew out of the habitual conditions, relations, and reciprocal claims of men. It grew out of the circumſtances of the country, and out of the ſtate of property. The wretched ſcheme of your preſent maſters, is not to fit the conſtitution to the people, but wholly to deſtroy conditions, to diſſolve relations, to change the ſtate of the nation, and to ſubvert property, in order to fit their country to their theory of a conſtitution.

Until you make out practically that great work, a combination of oppoſing forces, "a work of la-"bour long, and endleſs praiſe," the utmoſt caution ought to have been uſed in the reduction of the royal power, which alone was capable of holding together the comparatively heterogeneous maſs of your ſtates. But at this day, all theſe conſiderations are unſeaſonable. To what end ſhould we diſcuſs the limitations of royal power? Your king is in priſon. Why ſpeculate on the meaſure and ſtandard of liberty? I doubt much, very much

much indeed, whether France is at all ripe for liberty on any ſtandard. Men are unqualified for civil liberty, in exact proportion to their diſpoſition put moral chains upon their own appetites; in proportion as their love to juſtice is above their rapacity; in proportion as their ſoundneſs and ſobriety of underſtanding is above their vanity and preſumption; in proportion as they are more diſpoſed to liſten to the counſels of the wiſe and good, in preference to the flattery of knaves. Society cannot exiſt unleſs a controuling power upon will and appetite be placed ſomewhere, and the leſs of it there is within, the more there muſt be without. It is ordained in the eternal conſtitution of things, that men of intemperate minds cannot be free. Their paſſions forge their fetters.

This ſentence the prevalent part of your countrymen execute on themſelves. They poſſeſſed, not long ſince, what was next to freedom, a mild paternal monarchy. They deſpiſed it for its weakneſs. They were offered a well-poiſed free conſtitution. It did not ſuit their taſte nor their temper. They carved for themſelves; they flew out, murdered, robbed, and rebelled. They have ſucceeded, and put over their country an inſolent tyranny, made up of cruel and inexorable maſters, and that too of a deſcription hitherto not known in the world. The powers and policies by which they have ſucceeded, are not thoſe of great ſtateſmen,

or great military commanders, but the practices of incendiaries, aſſaſſins, houſebreakers, robbers, ſpreaders of falſe news, forgers of falſe orders from authority, and other delinquencies, of which ordinary juſtice takes cognizance. Accordingly the ſpirit of their rule is exactly correſpondent to the means by which they obtained it. They act more in the manner of thieves who have got poſſeſſion of a houſe, than of conquerors who have ſubdued a nation.

Oppoſed to theſe, in appearance, but in appearance only, is another band, who call themſelves the *moderate*. Theſe, if I conceive rightly of their conduct, are a ſet of men who approve heartily of the whole new conſtitution, but wiſh to lay heavy on the moſt atrocious of thoſe crimes, by which this fine conſtitution of theirs has been obtained. They are a ſort of people who affect to proceed as if they thought that men may deceive without fraud, rob without injuſtice, and overturn every thing without violence. They are men who would uſurp the government of their country with deceney and moderation. In fact they are nothing more or better, than men engaged in deſperate deſigns, with feeble minds. They are not honeſt; they are only ineffectual and unſyſtematick in their iniquity. They are perſons who want not the diſpoſitions, but the energy and vigour, that is neceſſary for great evil machinations.

They find that in ſuch deſigns they fall at beſt into a ſecondary rank, and others take the place and lead in uſurpation, which they are not qualified to obtain or to hold. They envy to their companions the natural fruit of their crimes; they join to run them down with the hue and cry of mankind, which purſues their common offences; and then hope to mount into their places on the credit of the ſobriety with which they ſhew themſelves diſpoſed to carry on what may ſeem moſt plauſible in the miſchievous projects they purſue in common. But theſe men are naturally deſpiſed by thoſe who have heads to know, and hearts that are able to go through the neceſſary demands of bold, wicked enterpriſes. They are naturally claſſed below the latter deſcription, and will only be uſed by them as inferiour inſtruments. They will be only the Fairfaxes of your Cromwells. If they mean honeſtly, why do they not ſtrengthen the arms of honeſt men, to ſupport their antient, legal, wiſe, and free government, given to them in the ſpring of 1788, againſt the inventions of craft, and the theories of ignorance and folly? If they do not, they muſt continue the ſcorn of both parties; ſometimes the tool, ſometimes the incumbrance of that, whoſe views they approve, whoſe conduct they decry. Theſe people are only made to be the ſport of tyrants. They never can obtain or communicate freedom.

You

You aſk me too, whether we have a committee of reſearch. No, Sir,—God forbid! It is the neceſſary inſtrument of tyranny and uſurpation; and therefore I do not wonder that it has had an early eſtabliſhment under your preſent lords. We do not want it.

Excuſe my length. I have been ſomewhat occupied ſince I was honoured with your letter; and I ſhould not have been able to anſwer it at all, but for the holidays, which have given me means of enjoying the leiſure of the country. I am called to duties which I am neither able nor willing to evade. I muſt ſoon return to my old conflict with the corruptions and oppreſſions which have prevailed in our eaſtern dominions. I muſt turn myſelf wholly from thoſe of France.

In England, we *cannot* work ſo hard as Frenchmen. Frequent relaxation is neceſſary to us. You are naturally more intenſe in your application. I did not know this part of your national character, until I went into France in 1773. At preſent, this your diſpoſition to labour is rather encreaſed than leſſened. In your aſſembly you do not allow yourſelves a receſs even on Sundays. We have two days in the week, beſides the feſtivals; and beſides five or ſix months of the ſummer and autumn. This continued unremitted effort of the members of your aſſembly, I take to be one among the cauſes of the miſchief they have done. They

who always labour can have no true judgment. You never give yourſelves time to cool. You can never ſurvey, from its proper point of ſight, the work you have finiſhed, before you decree its final execution. You can never plan the future by the paſt. You never go into the country, ſoberly and diſpaſſionately to obſerve the effect of your meaſures on their objects. You cannot feel diſtinctly how far the people are rendered better and improved, or more miſerable and depraved, by what you have done. You cannot ſee with your own eyes the ſufferings and afflictions you cauſe. You know them but at a diſtance, on the ſtatements of thoſe who always flatter the reigning power, and who, amidſt their repreſentations of the grievances, inflame your minds againſt thoſe who are oppreſſed. Theſe are amongſt the effects of unremitted labour, when men exhauſt their attention, burn out their candles, and are left in the dark.—*Malo meorum negligentiam, quam iſtorum obſcuram diligentiam.*

I have the honour, &c.

(Signed) EDMUND BURKE.

Beaconsfield,
January 19th, 1791.

AN

APPEAL

FROM

THE NEW TO THE OLD WHIGS,

IN CONSEQUENCE OF SOME LATE

DISCUSSIONS IN PARLIAMENT,

RELATIVE TO THE

REFLECTIONS ON THE FRENCH REVOLUTION.

1791.

ADVERTISEMENT

TO THE

SECOND EDITION.

THERE are ſome corrections in this Edition, which tend to render the ſenſe leſs obſcure in one or two places. The order of the two laſt members is alſo changed, and I believe for the better. This change was made on the ſuggeſtion of a very learned perſon, to the partiality of whoſe friendſhip I owe much; to the ſeverity of whoſe judgment I owe more.

AN APPEAL

From The NEW to The OLD WHIGS,

&c.

AT Mr. Burke's time of life, and in his diſpoſitions, *petere honeſtam miſſionem* was all he had to do with his political aſſociates. This boon they have not choſen to grant him. With many expreſſions of good-will, in effect they tell him he has loaded the ſtage too long. They conceive it, though an harſh yet a neceſſary office, in full parliament to declare to the preſent age, and to as late a poſterity, as ſhall take any concern in the proceedings of our day, that by one book he has diſgraced the whole tenour of his life.—Thus they diſmiſs their old partner of the war. He is adviſed to retire, whilſt they continue to ſerve the publick upon wiſer principles, and under better auſpices.

Whether Diogenes the Cynic was a true philoſopher, cannot eaſily be determined. He has written nothing. But the ſayings of his which are handed down by others, are lively; and may be eaſily and aptly applied on many occaſions by thoſe whoſe wit is not ſo perfect as their memory. This Diogenes (as every one will recollect) was

citizen

citizen of a little bleak town ſituated on the coaſt of the Euxine, and expoſed to all the buffets of that inhoſpitable ſea. He lived at a great diſtance from thoſe weather-beaten walls, in eaſe and indolence, and in the midſt of literary leiſure, when he was informed that his townſmen had condemned him to be baniſhed from Sinope; he anſwered coolly, "And I condemn them to live in Sinope."

The gentlemen of the party in which Mr. Burke has always acted, in paſſing upon him the ſentence of retirement,* have done nothing more than to confirm the ſentence which he had long before

* Newſpaper intelligence ought always to be received with ſome degree of caution. I do not know that the following paragraph is founded on any authority; but it comes with an air of authority. The paper is profeſſedly in the intereſt of the modern Whigs, and under their direction. The paragraph is not diſclaimed on their part. It profeſſes to be the deciſion of thoſe whom its author calls "the great and firm body of the Whigs of England." Who are the Whigs of a different compoſition, which the promulgator of the ſentence conſiders as compoſed of fleeting and unſettled particles, I know not, nor whether there be any of that deſcription. The definitive ſentence of "the great and firm body of the Whigs of England" (as this paper gives it out) is as follows:

"The great and firm body of the Whigs of England, true to "their principles, have decided on the diſpute between Mr. "Fox and Mr. Burke; and the former is declared to have main-"tained the pure doctrines by which they are bound together, "and upon which they have invariably acted. The conſe-"quence is, that Mr. Burke retires from parliament."—*Morning Chronicle, May* 12, 1791.

paſſed

paſſed upon himſelf. When that retreat was choice, which the tribunal of his peers inflict as puniſhment, it is plain he does not think their ſentence intolerably ſevere. Whether they who are to continue in the Sinope which ſhortly he is to leave, will ſpend the long years which, I hope, remain to them, in a manner more to their ſatisfaction, than he ſhall ſlide down, in ſilence and obſcurity, the ſlope of his declining days, is beſt known to Him who meaſures out years, and days, and fortunes.

The quality of the ſentence does not however decide on the juſtice of it. Angry friendſhip is ſometimes as bad as calm enmity. For this reaſon the cold neutrality of abſtract juſtice, is, to a good and clear cauſe, a more deſirable thing than an affection liable to be any way diſturbed. When the trial is by friends, if the deciſion ſhould happen to be favourable, the honour of the acquittal is leſſened; if adverſe, the condemnation is exceedingly embittered. It is aggravated by coming from lips profeſſing friendſhip, and pronouncing judgment with ſorrow and reluctance. Taking in the whole view of life, it is more ſafe to live under the juriſdiction of ſevere but ſteady reaſon, than under the empire of indulgent, but capricious paſſion. It is certainly well for Mr. Burke that there are impartial men in the world. To them I addreſs myſelf, pending the appeal which

on

on his part is made from the living to the dead, from the modern Whigs to the antient.

The gentlemen who, in the name of the party, have paſſed ſentence on Mr. Burke's book, in the light of literary criticiſm, are judges above all challenge. He did not indeed flatter himſelf, that as a writer, he could claim the approbation of men whoſe talents, in his judgment and in the publick judgment, approach to prodigies; if ever ſuch perſons ſhould be diſpoſed to eſtimate the merit of a compoſition upon the ſtandard of their own ability.

In their critical cenſure, though Mr. Burke may find himſelf humbled by it as a writer, as a man, and as an Engliſhman, he finds matter not only of conſolation, but of pride. He propoſed to convey to a foreign people, not his own ideas, but the prevalent opinions and ſentiments of a nation, renowned for wiſdom, and celebrated in all ages for a well underſtood and well regulated love of freedom. This was the avowed purpoſe of the far greater part of his work. As that work has not been ill received, and as his critick will not only admit but contend, that this reception could not be owing to any excellence in the compoſition capable of perverting the publick judgment, it is clear that he is not diſavowed by the nation whoſe ſentiments he had undertaken to deſcribe. His repreſentation is authenticated by the verdict of his

country. Had his piece, as a work of ſkill, been thought worthy of commendation, ſome doubt might have been entertained of the cauſe of his ſucceſs. But the matter ſtands exactly as he wiſhes it. He is more happy to have his fidelity in repreſentation recognized by the body of the people, than if he were to be ranked in point of ability (and higher he could not be ranked) with thoſe whoſe critical cenſure he has had the misfortune to incur.

It is not from this part of their deciſion which the author wiſhes an appeal. There are things which touch him more nearly. To abandon them would argue, not diffidence in his abilities, but treachery to his cauſe. Had his work been recognized as a pattern for dexterous argument, and powerful eloquence, yet if it tended to eſtabliſh maxims, or to inſpire ſentiments, adverſe to the wiſe and free conſtitution of this kingdom, he would only have cauſe to lament, that it poſſeſſed qualities fitted to perpetuate the memory of his offence. Oblivion would be the only means of his eſcaping the reproaches of poſterity. But, after receiving the common allowance due to the common weakneſs of man, he wiſhes to owe no part of the indulgence of the world to its forgetfulneſs. He is at iſſue with the party, before the preſent, and if ever he can reach it, before the coming generation.

The

The author, ſeveral months previous to his publication, well knew, that two gentlemen, both of them poſſeſſed of the moſt diſtinguiſhed abilities, and of a moſt deciſive authority in the party, had differed with him in one of the moſt material points relative to the French revolution; that is in their opinion of the behaviour of the French ſoldiery, and its revolt from its officers. At the time of their publick declaration on this ſubject, he did not imagine the opinion of theſe two gentlemen had extended a great way beyond themſelves. He was however well aware of the probability, that perſons of their juſt credit and influence would at length diſpoſe the greater number to an agreement with their ſentiments; and perhaps might induce the whole body to a tacit acquieſcence in their declarations, under a natural, and not always an improper diſlike of ſhewing a difference with thoſe who lead their party. I will not deny, that in general this conduct in parties is defenſible; but within what limits the practice is to be circumſcribed, and with what exceptions the doctrine which ſupports it is to be received, it is not my preſent purpoſe to define. The preſent queſtion has nothing to do with their motives; it only regards the publick expreſſion of their ſentiments.

The author is compelled, however reluctantly, to receive the ſentence pronounced upon him in the

the houſe of commons as that of the party. It proceeded from the mouth of him who muſt be regarded as its authentick organ. In a diſcuſſion which continued for two days, no one gentleman of the oppoſition interpoſed a negative, or even a doubt, in favour of him or his opinions. If an idea conſonant to the doctrine of his book, or favourable to his conduct, lurks in the minds of any perſons in that deſcription, it is to be conſidered only as a peculiarity which they indulge to their own private liberty of thinking. The author cannot reckon upon it. It has nothing to do with them as members of a party. In their publick capacity, in every thing that meets the publick ear, or publick eye, the body muſt be conſidered as unanimous.

They muſt have been animated with a very warm zeal againſt thoſe opinions, becauſe they were under no *neceſſity* of acting as they did, from any juſt cauſe of apprehenſion that the errours of this writer ſhould be taken for theirs. They might diſapprove; it was not neceſſary they ſhould *diſavow* him, as they have done in the whole, and in all the parts of his book; becauſe neither in the whole nor in any of the parts, were they, directly, or by any implication, involved. The author was known indeed to have been warmly, ſtrenuouſly, and affectionately, againſt all allurements of ambition, and all poſſibility of alienation from pride,

or perſonal pique, or peeviſh jealouſy, attached to the Whig party. With one of them he has had a long friendſhip, which he muſt ever remember with a melancholy pleaſure. To the great, real, and amiable virtues, and to the unequalled abilities of that gentleman, he ſhall always join with his country in paying a juſt tribute of applauſe. There are others in that party for whom, without any ſhade of ſorrow, he bears as high a degree of love as can enter into the human heart; and as much veneration as ought to be paid to human creatures; becauſe he firmly believes, that they are endowed with as many and as great virtues, as the nature of man is capable of producing, joined to great clearneſs of intellect, to a juſt judgment, to a wonderful temper, and to true wiſdom. His ſentiments with regard to them can never vary, without ſubjecting him to the juſt indignation of mankind, who are bound, and are generally diſpoſed, to look up with reverence to the beſt patterns of their ſpecies, and ſuch as give a dignity to the nature of which we all participate. For the whole of the party he has high reſpect. Upon a view indeed of the compoſition of all parties, he finds great ſatisfaction. It is, that in leaving the ſervice of his country, he leaves parliament without all compariſon richer in abilities than he found it. Very ſolid and very brilliant talents diſtinguiſh the miniſterial benches. The

oppoſite

oppoſite rows are a ſort of ſeminary of genius, and have brought forth ſuch and ſo great talents as never before (amongſt us at leaſt) have appeared together. If their owners are diſpoſed to ſerve their country, (he truſts they are) they are in a condition to render it ſervices of the higheſt importance. If through miſtake or paſſion, they are led to contribute to its ruin, we ſhall at leaſt have a conſolation denied to the ruined country that adjoins us—we ſhall not be deſtroyed by men of mean or ſecondary capacities.

All theſe conſiderations of party attachment, of perſonal regard, and of perſonal admiration, rendered the Author of the Reflections extremely cautious, leſt the ſlighteſt ſuſpicion ſhould ariſe of his having undertaken to expreſs the ſentiments even of a ſingle man of that deſcription. His words at the outſet of his Reflections are theſe:

" In the firſt letter I had the honour to write " to you, and which at length I ſend, I wrote nei- " ther *for*, nor *from* any deſcription of men; nor " ſhall I in this. My errours, if any, are *my own*. " My reputation *alone* is to anſwer for them." In another place, he ſays (p. 126.) " I have *no* " *man*'s proxy. I ſpeak *only* from *myſelf*; when I " diſclaim, as I do, with all poſſible earneſtneſs, " all communion with the actors in that triumph, " or with the admirers of it. When I aſſert any " thing elſe, as concerning the people of England, " I ſpeak from obſervation, *not from authority*."

To ſay then, that the book did not contain the ſentiments of their party, is not to contradict the author, or to clear themſelves. If the party had denied his doctrines to be the current opinions of the majority in the nation, they would have put the queſtion on its true iſſue. There, I hope and believe, his cenſurers will find on the trial, that the author is as faithful a repreſentative of the general ſentiment of the people of England, as any perſon amongſt them can be of the ideas of his own party.

The French revolution can have no connexion with the objects of any parties in England formed before the period of that event, unleſs they chooſe to imitate any of its acts, or to conſolidate any principles of that revolution with their own opinions. The French revolution is no part of their original contract. The matter, ſtanding by itſelf, is an open ſubject of political diſcuſſion, like all the other revolutions (and there are many) which have been attempted or accompliſhed in our age. But if any conſiderable number of Britiſh ſubjects, taking a factious intereſt in the proceedings of France, begin publickly to incorporate themſelves for the ſubverſion of nothing ſhort of the *whole* conſtitution of this kingdom; to incorporate themſelves for the utter overthrow of the body of its laws, civil and eccleſiaſtical, and with them of the whole ſyſtem of its manners, in favour of the new conſtitution, and of the modern uſages

of the French nation, I think no party principle could bind the author not to expreſs his ſentiments ſtrongly againſt ſuch a faction. On the contrary, he was perhaps bound to mark his diſſent, when the leaders of the party were daily going out of their way to make publick declarations in parliament, which, notwithſtanding the purity of their intentions, had a tendency to encourage ill-deſigning men in their practices againſt our conſtitution.

The members of this faction leave no doubt of the nature and the extent of the miſchief they mean to produce. They declare it openly and deciſively. Their intentions are not left equivocal. They are put out of all diſpute by the thanks which, formally and as it were officially, they iſſue, in order to recommend, and to promote the circulation of the moſt atrocious and treaſonable libels, againſt all the hitherto cheriſhed objects of the love and veneration of this people. Is it contrary to the duty of a good ſubject, to reprobate ſuch proceedings? Is it alien to the office of a good member of parliament, when ſuch practices increaſe, and when the audacity of the conſpirators grows with their impunity, to point out in his place their evil tendency to the happy conſtitution which he is choſen to guard? Is it wrong in any ſenſe, to render the people of England ſenſible how much they muſt ſuffer if unfortunately ſuch a wicked faction

ſhould become poſſeſſed in this country of the ſame power which their allies in the very next to us have ſo perfidiouſly uſurped, and ſo outrageouſly abuſed? Is it inhuman to prevent, if poſſible, the ſpilling *their* blood, or imprudent to guard againſt the effuſion of *our own?* Is it contrary to any of the honeſt principles of party, or repugnant to any of the known duties of friendſhip, for any ſenator, reſpectfully, and amicably, to caution his brother members againſt countenancing by inconſiderate expreſſions a ſort of proceeding which it is impoſſible they ſhould deliberately approve?

He had undertaken to demonſtrate, by arguments, which he thought could not be refuted, and by documents, which he was ſure could not be denied, that no compariſon was to be made between the Britiſh government and the French uſurpation.—That they who endeavoured madly to compare them, were by no means making the compariſon of one good ſyſtem with another good ſyſtem, which varied only in local and circumſtantial differences; much leſs, that they were holding out to us a ſuperiour pattern of legal liberty, which we might ſubſtitute in the place of our old, and, as they deſcribe it, ſuperannuated conſtitution. He meant to demonſtrate, that the French ſcheme was not a comparative good, but a poſitive evil.—That the queſtion did not at all turn,

as

as it had been ſtated, on a parallel between a monarchy and a republick. He denied that the preſent ſcheme of things in France, did at all deſerve the reſpectable name of a republick: he had therefore no compariſon between monarchies and republicks to make.—That what was done in France was a wild attempt to methodize anarchy; to perpetuate and fix diſorder. That it was a foul, impious, monſtrous thing, wholly out of the courſe of moral nature. He undertook to prove, that it was generated in treachery, fraud, falſehood, hypocriſy, and unprovoked murder.—He offered to make out, that thoſe who have led in that buſineſs, had conducted themſelves with the utmoſt perfidy to their colleagues in function, and with the moſt flagrant perjury both towards their king and their conſtituents; to the one of whom the aſſembly had ſworn fealty, and to the other, when under no ſort of violence or conſtraint, they had ſworn a full obedience to inſtructions.—That by the terrour of aſſaſſination, they had driven away a very great number of the members, ſo as to produce a falſe appearance of a majority.—That this fictitious majority had fabricated a conſtitution, which, as now it ſtands, is a tyranny far beyond any example that can be found in the civilized European world of our age; that therefore the lovers of it muſt be lovers, not of liberty, but, if

they really underſtand its nature, of the loweſt and baſeſt of all ſervitude.

He propoſed to prove, that the preſent ſtate of things in France is not a tranſient evil, productive, as ſome have too favourably repreſented it, of a laſting good; but that the preſent evil is only the means of producing future, and (if that were poſſible) worſe evils.—That it is not, an undigeſted, imperfect, and crude ſcheme of liberty, which may gradually be mellowed and ripened into an orderly and ſocial freedom; but that it is ſo fundamentally wrong, as to be utterly incapable of correcting itſelf by any length of time, or of being formed into any mode of polity, of which a member of the houſe of commons could publickly declare his approbation.

If it had been permitted to Mr. Burke, he would have ſhewn diſtinctly, and in detail, that what the aſſembly calling itſelf national, had held out as a large and liberal toleration, is in reality a cruel and inſidious religious perſecution; infinitely more bitter than any which had been heard of within this century.—That it had a feature in it worſe than the old perſecutions.—That the old perſecutors acted, or pretended to act, from zeal towards ſome ſyſtem of piety and virtue: they gave ſtrong preferences to their own; and if they drove people from one religion, they provided for them

them another, in which men might take refuge, and expect conſolation.—That their new perſecution is not againſt a variety in conſcience, but againſt all conſcience. That it profeſſes contempt towards its object; and whilſt it treats all religion with ſcorn, is not ſo much as neutral about the modes: it unites the oppoſite evils of intolerance and of indifference.

He could have proved, that it is ſo far from rejecting teſts (as unaccountably had been aſſerted) that the aſſembly had impoſed teſts of a peculiar hardſhip, ariſing from a cruel and premeditated pecuniary fraud: teſts againſt old principles, ſanctioned by the laws, and binding upon the conſcience.—That theſe teſts were not impoſed as titles to ſome new honour or ſome new benefit, but to enable men to hold a poor compenſation for their legal eſtates, of which they had been unjuſtly deprived; and, as they had before been reduced from affluence to indigence, ſo on refuſal to ſwear againſt their conſcience, they are now driven from indigence to famine, and treated with every poſſible degree of outrage, inſult, and inhumanity.—That theſe teſts, which their impoſers well knew would not be taken, were intended for the very purpoſe of cheating their miſerable victims out of the compenſation which the tyrannick impoſtors of the aſſembly had previouſly and purpoſely

rendered the publick unable to pay. That thus their ultimate violence aroſe from their original fraud.

He would have ſhewn that the univerſal peace and concord amongſt nations, which theſe common enemies to mankind had held out with the ſame fraudulent ends and pretences with which they had uniformly conducted every part of their proceeding, was a coarſe and clumſy deception, unworthy to be propoſed as an example, by an informed and ſagacious Britiſh ſenator, to any other country.—That far from peace and good-will to men, they meditated war againſt all other governments; and propoſed ſyſtematically to excite in them all the very worſt kind of ſeditions, in order to lead to their common deſtruction.—That they had diſcovered, in the few inſtances in which they have hitherto had the power of diſcovering it, (as at Avignon, and in the Comtat, at Cavailhon and at Carpentras) in what a ſavage manner they mean to conduct the ſeditions and wars they have planned againſt their neighbours, for the ſake of putting themſelves at the head of a confederation of republicks as wild and as miſchievous as their own. He would have ſhewn in what manner that wicked ſcheme was carried on in thoſe places, without being directly either owned or diſclaimed, in hopes that the undone people ſhould at length be obliged to fly to their tyrannick protection,

protection, as ſome ſort of refuge from their barbarous and treacherous hoſtility. He would have ſhewn from thoſe examples, that neither this nor any other ſociety could be in ſafety as long as ſuch a publick enemy was in a condition to continue directly or indirectly ſuch practices againſt its peace. —That Great Britain was a principal object of their machinations; and that they had begun by eſtabliſhing correſpondencies, communications, and a ſort of federal union with the factious here:— That no practical enjoyment of a thing ſo imperfect and precarious, as human happineſs muſt be, even under the very beſt of governments, could be a ſecurity for the exiſtence of theſe governments, during the prevalence of the principles of France, propagated from that grand ſchool of every diſorder, and every vice.

He was prepared to ſhew the madneſs of their declaration of the pretended rights of man; the childiſh futility of ſome of their maxims; the groſs and ſtupid abſurdity, and the palpable falſity of others; and the miſchievous tendency of all ſuch declarations to the well-being of men and of citizens, and to the ſafety and proſperity of every juſt commonwealth. He was prepared to ſhew that, in their conduct, the aſſembly had directly violated not only every ſound principle of government, but every one, without exception, of their own falſe or futile maxims; and indeed every

rule

rule they had pretended to lay down for their own direction.

In a word, he was ready to ſhew, that thoſe who could, after ſuch a full and fair expoſure, continue to countenance the French inſanity, were not miſtaken politicians, but bad men; but he thought that in this caſe, as in many others, ignorance had been the cauſe of admiration.

Theſe are ſtrong aſſertions. They required ſtrong proofs. The member who laid down theſe poſitions was and is ready to give, in his place, to each poſition deciſive evidence, correſpondent to the nature and quality of the ſeveral allegations.

In order to judge on the propriety of the interruption given to Mr. Burke, in his ſpeech in the committee of the Quebec bill, it is neceſſary to inquire, firſt, whether, on general principles, he ought to have been ſuffered to prove his allegations? Secondly, whether the time he had choſen was ſo very unſeaſonable as to make his exerciſe of a parliamentary right productive of ill effects on his friends or his country? Thirdly, whether the opinions delivered in his book, and which he had begun to expatiate upon that day, were in contradiction to his former principles, and inconſiſtent with the general tenour of his publick conduct?

They who have made eloquent panegyricks on the French revolution, and who think a free diſcuſſion

diſcuſſion ſo very advantageous in every caſe, and under every circumſtance, ought not, in my opinion, to have prevented their eulogies from being tried on the teſt of facts. If their panegyrick had been anſwered with an invective (bating the difference in point of eloquence) the one would have been as good as the other: that is, they would both of them have been good for nothing. The panegyrick and the ſatire ought to be ſuffered to go to trial; and that which ſhrinks from it, muſt be contented to ſtand at beſt as a mere declamation.

I do not think Mr. Burke was wrong in the courſe he took. That which ſeemed to be recommended to him by Mr Pitt, was rather to extol the Engliſh conſtitution, than to attack the French. I do not determine what would be beſt for Mr. Pitt to do in his ſituation. I do not deny that *he* may have good reaſons for his reſerve. Perhaps they might have been as good for a ſimilar reſerve on the part of Mr. Fox, if his zeal had ſuffered him to liſten to them. But there were no motives of miniſterial prudence, or of that prudence which ought to guide a man perhaps on the eve of being miniſter, to reſtrain the author of the Reflections. He is in no office under the crown; he is not the organ of any party.

The excellencies of the Britiſh conſtitution had already exerciſed and exhauſted the talents of the beſt

beſt thinkers, and the moſt eloquent writers and ſpeakers, that the world ever ſaw. But in the preſent caſe, a ſyſtem declared to be far better, and which certainly is much newer (to reſtleſs and unſtable minds no ſmall recommendation) was held out to the admiration of the good people of England. In that caſe, it was ſurely proper for thoſe, who had far other thoughts of the French conſtitution, to ſcrutinize that plan which has been recommended to our imitation by active and zealous factions, at home and abroad. Our complexion is ſuch, that we are palled with enjoyment, and ſtimulated with hope; that we become leſs ſenſible to a long-poſſeſſed benefit, from the very circumſtance that it is become habitual. Specious, untried, ambiguous proſpects of new advantage, recommend themſelves to the ſpirit of adventure, which more or leſs prevails in every mind. From this temper, men and factions, and nations too, have ſacrificed the good, of which they had been in aſſured poſſeſſion, in favour of wild and irrational expectations. What ſhould hinder Mr. Burke, if he thought this temper likely, at one time or other, to prevail in our country, from expoſing to a multitude, eager to game, the falſe calculations of this lottery of fraud?

I allow, as I ought to do, for the effuſions which come from a *general* zeal for liberty. This

is

is to be indulged, and even to be encouraged, as long as the *queſtion is general.* An orator, above all men, ought to be allowed a full and free uſe of the praiſe of liberty. A common place in favour of ſlavery and tyranny delivered to a popular aſſembly, would indeed be a bold defiance to all the principles of rhetorick. But in a queſtion whether any particular conſtitution is or is not a plan of rational liberty, this kind of rhetorical flouriſh in favour of freedom in general, is ſurely a little out of its place. It is virtually a begging of the queſtion. It is a ſong of triumph, before the battle.

" But Mr. Fox does not make the panegyrick " of the new conſtitution; it is the deſtruction " only of the abſolute monarchy he commends." When that nameleſs thing which has been lately ſet up in France was deſcribed as " the moſt ſtu- " pendous aud glorious edifice of liberty, which " had been erected on the foundation of human " integrity in any time or country," it might at firſt have led the hearer into an opinion, that the conſtruction of the new fabrick was an object of admiration, as well as the demolition of the old. Mr. Fox, however, has explained himſelf; and it would be too like that captious and cavilling ſpirit, which I ſo perfectly deteſt, if I were to pin down the language of an eloquent and ardent mind, to the punctilious exactneſs of a pleader.

Then

Then Mr. Fox did not mean to applaud that monſtrous thing, which, by the courteſy of France, they call a conſtitution. I eaſily believe it. Far from meriting the praiſes of a great genius like Mr. Fox, it cannot be approved by any man of common ſenſe, or common information. He cannot admire the change of one piece of barbariſm for another, and a worſe. He cannot rejoice at the deſtruction of a monarchy, mitigated by manners, reſpectful to laws and uſages, and attentive, perhaps but too attentive to publick opinion, in favour of the tyranny of a licentious, ferocious, and ſavage multitude, without laws, manners, or morals, and which ſo far from reſpecting the general ſenſe of mankind, inſolently endeavours to alter all the principles and opinions, which have hitherto guided and contained the world, and to force them into a conformity to their views and actions. His mind is made to better things.

That a man ſhould rejoice and triumph in the deſtruction of an abſolute monarchy; that in ſuch an event he ſhould overlook the captivity, diſgrace, and degradation of an unfortunate prince, and the continual danger to a life which exiſts only to be endangered; that he ſhould overlook the utter ruin of whole orders and claſſes of men, extending itſelf directly, or in its neareſt conſequences, to at leaſt a million of our kind, and to at leaſt the temporary wretchedneſs of a whole community,

community, I do not deny to be in ſome ſort natural: becauſe when people ſee a political object, which they ardently deſire, but in one point of view, they are apt extremely to palliate, or underrate the evils which may ariſe in obtaining it. This is no reflection on the humanity of thoſe perſons. Their good nature I am the laſt man in the world to diſpute. It only ſhews that they are not ſufficiently informed, or ſufficiently conſiderate. When they come to reflect ſeriouſly on the tranſaction, they will think themſelves bound to examine what the object is that has been acquired by all this havock. They will hardly aſſert that the deſtruction of an abſolute monarchy is a thing good in itſelf, without any ſort of reference to the antecedent ſtate of things, or to conſequences which reſult from the change; without any conſideration whether under its ancient rule a country was to a conſiderable degree flouriſhing and populous, highly cultivated, and highly commercial; and whether, under that domination, though perſonal liberty had been precarious and inſecure, property at leaſt was ever violated. They cannot take the moral ſympathies of the human mind along with them, in abſtractions ſeparated from the good or evil condition of the ſtate, from the quality of actions, and the character of the actors. None of us love abſolute and uncontrolled monarchy; but we could not rejoice at the ſufferings

of

of a Marcus Aurelius, or a Trajan, who were abſolute monarchs, as we do when Nero is condemned by the ſenate to be puniſhed *more majorem:* nor when that monſter was obliged to fly with his wife Sporus, and to drink puddle, were men affected in the ſame manner, as when the venerable Galba, with all his faults and errours, was murdered by a revolted mercenary ſoldiery. With ſuch things before our eyes, our feelings contradict our theories; and when this is the caſe, the feelings are true, and the theory is falſe. What I contend for is, that in commending the deſtruction of an abſolute monarchy, *all the circumſtances* ought not to be wholly overlooked, as "conſiderations fit only for ſhallow and ſuperficial "minds."—The words of Mr. Fox, or to that effect.

The ſubverſion of a government, to deſerve any praiſe, muſt be conſidered but as a ſtep preparatory to the formation of ſomething better, either in the ſcheme of the government itſelf, or in the perſons who adminiſter it, or in both. Theſe events cannot in reaſon be ſeparated. For inſtance, when we praiſe our revolution of 1688, though the nation, in that act, was on the defenſive, and was juſtified in incurring all the evils of a defenſive war, we do not reſt there. We always combine with the ſubverſion of the old government, the happy ſettlement which followed. When we eſtimate that revolution, we mean to comprehend

in

in our calculation both the value of the thing parted with, and the value of the thing received in exchange.

The burthen of proof lies heavily on thoſe who tear to pieces the whole frame and contexture of their country, that they could find no other way of ſettling a government fit to obtain its rational ends, except that which they have purſued by means unfavourable to all the preſent happineſs of millions of people, and to the utter ruin of ſeveral hundreds of thouſands. In their political arrangements, men have no right to put the well-being of the preſent generation wholly out of the queſtion. Perhaps the only moral truſt with any certainty in our hands, is the care of our own time. With regard to futurity, we are to treat it like a ward. We are not ſo to attempt an improvement of his fortune, as to put the capital of his eſtate to any hazard.

It is not worth our while to diſcuſs, like ſophiſters, whether, in no caſe, ſome evil, for the ſake of ſome benefit, is to be tolerated. Nothing univerſal can be rationally affirmed on any moral, or any political ſubject. Pure metaphyſical abſtraction does not belong to theſe matters. The lines of morality are not like ideal lines of mathematicks. They are broad and deep as well as long. They admit of exceptions; they demand modifications. Theſe exceptions and modifications

are not made by the proceſs of logick, but by the rules of prudence. Prudence is not only the firſt in rank of the virtues political and moral, but ſhe is the director, the regulator, the ſtandard of them all. Metaphyſicks cannot live without definition; but prudence is cautious how ſhe defines. Our courts cannot be more fearful in ſuffering fictitious caſes to be brought before them for eliciting their determination on a point of law, than prudent moraliſts are in putting extreme and hazardous caſes of conſcience upon emergencies not exiſting. Without attempting therefore to define, what never can be defined, the caſe of a revolution in government, this, I think, may be ſafely affirmed, that a ſore and preſſing evil is to be removed, and that a good, great in its amount, and unequivocal in its nature, muſt be probable almoſt to certainty, before the ineſtimable price of our own morals, and the well-being of a number of our fellow-citizens, is paid for a revolution. If ever we ought to be œconomiſts even to parſimony, it is in the voluntary production of evil. Every revolution contains in it ſomething of evil.

It muſt always be, to thoſe who are the greateſt amateurs, or even profeſſors, of revolutions, a matter very hard to prove, that the late French government was ſo bad, that nothing worſe in the infinite devices of men, could come in its place.

place. They who have brought France to its preſent condition ought to prove alſo, by ſomething better than prattling about the Baſtile, that their ſubverted government was as incapable, as the preſent certainly is, of all improvement and correction. How dare they to ſay ſo who have never made that experiment? They are experimenters by their trade. They have made an hundred others, infinitely more hazardous.

The Engliſh admirers of the forty-eight thouſand republicks which form the French federation, praiſe them not for what they are, but for what they are to become. They do not talk as politicians but as prophets. But in whatever character they chooſe to found panegyrick on prediction, it will be thought a little ſingular to praiſe any work, not for its own merits, but for the merits of ſomething elſe which may ſucceed to it. When any political inſtitution is praiſed, in ſpite of great and prominent faults of every kind, and in all its parts, it muſt be ſuppoſed to have ſomething excellent in its fundamental principles. It muſt be ſhewn that it is right though imperfect; that it is not only by poſſibility ſuſceptible of improvement, but that it contains in it a principle tending to its melioration.

Before they attempt to ſhew this progreſſion of their favourite work, from abſolute pravity to finiſhed perfection, they will find themſelves

engaged in a civil war with thoſe whoſe cauſe they maintain. What! alter our ſublime conſtitution, the glory of France, the envy of the world, the pattern for mankind, the maſter-piece of legiſlation, the collected and concentrated glory of this enlightened age! Have we not produced it ready made and ready armed, mature in its birth, a perfect goddeſs of wiſdom and of war, hammered by our blackſmith midwives out of the brain of Jupiter himſelf? Have we not ſworn our devout, profane, believing, infidel people, to an allegiance to this goddeſs, even before ſhe had burſt the *dura mater*, and as yet exiſted only in embryo? Have we not ſolemnly declared this conſtitution unalterable by any future legiſlature? Have we not bound it on poſterity for ever, though our abettors have declared that no one generation is competent to bind another? Have we not obliged the members of every future aſſembly to qualify themſelves for their ſeats by ſwearing to its conſervation?

Indeed the French conſtitution always muſt be (if a change is not made in all their principles and fundamental arrangements) a government wholly by popular repreſentation. It muſt be this or nothing. The French faction conſiders as an uſurpation, as an atrocious violation of the indefeaſible rights of man, every other deſcription of government. Take it or leave it; there is no medium.

Let

Let the irrefragable doctors fight out their own controverſy in their own way, and with their own weapons; and when they are tired let them commence a treaty of peace. Let the plenipotentiary ſophiſters of England ſettle with the diplomatick ſophiſters of France in what manner right is to be corrected by an infuſion of wrong, and how truth may be rendered more true by a due intermixture of falſehood.

Having ſufficiently proved, that nothing could make it *generally* improper for Mr. Burke to prove what he had alleged concerning the object of this diſpute, I paſs to the ſecond queſtion, that is, whether he was juſtified in chooſing the committee on the Quebec bill as the field for this diſcuſſion? If it were neceſſary, it might be ſhewn, that he was not the firſt to bring theſe diſcuſſions into parliament, nor the firſt to renew them in this ſeſſion. The fact is notorious. As to the Quebec bill, they were introduced into the debate upon that ſubject for two plain reaſons; firſt, that as he thought it *then* not adviſable to make the proceedings of the factious ſocieties the ſubject of a direct motion, he had no other way open to him. Nobody has attempted to ſhew, that it was at all admiſſible into any other buſineſs before the houſe. Here every thing was favourable. Here was a bill to form a new conſtitution for a French province under Engliſh dominion. The queſtion

53973

naturally aroſe, whether we ſhould ſettle that conſtitution upon Engliſh ideas, or upon French. This furniſhed an opportunity for examining into the value of the French conſtitution, either conſidered as applicable to colonial government, or in its own nature. The bill too was in a committee. By the privilege of ſpeaking as often as he pleaſed, he hoped in ſome meaſure to ſupply the want of ſupport, which he had but too much reaſon to apprehend. In a committee it was always in his power to bring the queſtions from generalities to facts; from declamation to diſcuſſion. Some benefit he actually received from this privilege. Theſe are plain, obvious, natural reaſons for his conduct. I believe they are the true, and the only true ones.

They who juſtify the frequent interruptions, which at length wholly diſabled him from proceeding, attribute their conduct to a very different interpretation of his motives. They ſay, that through corruption, or malice, or folly, he was acting his part in a plot to make his friend Mr. Fox paſs for a republican; and thereby to prevent the gracious intentions of his ſovereign from taking effect, which at that time had begun to diſcloſe themſelves in his favour.* This is a pretty ſerious

* To explain this, it will be neceſſary to advert to a paragraph which appeared in a paper in the minority intereſt ſome time

ſerious charge. This, on Mr. Burke's part, would be ſomething more than miſtake; ſomething worſe than formal irregularity. Any contumely, any

time before this debate. "A very dark intrigue has lately been "diſcovered, the authors of which are well known to us; but "until the glorious day ſhall come, when it will not be a LIBEL "to tell the TRUTH, we muſt not be ſo regardleſs of our own "ſafety, as to publiſh their names. We will, however, ſtate "the fact, leaving it to the ingenuity of our readers to diſcover "what we dare not publiſh.

"Since the buſineſs of the armament againſt Ruſſia has been "under diſcuſſion, a great perſonage has been heard to ſay, "that "'he was not ſo wedded to Mr. PITT, as not to be very will-"'ing to give his confidence to Mr. FOX, if the latter ſhould "'be able, in a criſis like the preſent, to conduct the govern-"'ment of the country with greater advantage to the publick.'

"This patriotick declaration immediately alarmed the ſwarm "of courtly inſects that live only in the ſunſhine of miniſterial "favour. It was thought to be the forerunner of the diſmiſſion "of Mr. Pitt, and every engine was ſet at work for the pur-"poſe of preventing ſuch an event. The principal engine em-"ployed on this occaſion was CALUMNY. It was whiſpered in "the ear of a great perſonage, that Mr. Fox was the laſt man "in England to be truſted by a KING, becauſe he was by PRIN-"CIPLE a REPUBLICAN, and conſequently an enemy to MO-"NARCHY.

"IN the diſcuſſion of the Quebec bill which ſtood for yeſter-"day, it was the intention of ſome perſons to connect with this "ſubject the French revolution, in hopes that Mr. Fox would "be warmed by a colliſion with Mr. Burke, and induced to de-"fend that revolution in which ſo much power was taken from, "and ſo little left in the crown.

"Had Mr. Fox fallen into the ſnare, his ſpeech on the

any outrage is readily paſſed over, by the indulgence which we all owe to ſudden paſſion. Theſe things are ſoon forgot upon occaſions in which all men are ſo apt to forget themſelves. Deliberate injuries, to a degree muſt be remembered, becauſe they require deliberate precautions to be ſecured againſt their return.

I am authorized to ſay for Mr. Burke, that he conſiders that cauſe aſſigned for the outrage offered

" occaſion would have been laid before a great perſonage, as a " proof that a man who could defend ſuch a revolution, might " be a very good republican, but could not poſſibly be a friend " to monarchy.

" But thoſe who laid the ſnare were diſappointed; for Mr. " Fox, in the ſhort converſation which took place yeſterday in " the houſe of commons, ſaid, that he confeſſedly had thought " favourably of the French revolution; but that moſt certainly " he never had, either in parliament, or out of parliament, pro- " feſſed or defended republican principles."

Argus, April 22d, 1791.

Mr. Burke cannot anſwer for the truth, nor prove the falſehood of the ſtory given by the friends of the party in this paper. He only knows that an opinion of its being well or ill authenticated had no influence on his conduct. He meant only, to the beſt of his power, to guard the publick againſt the ill deſigns of factions out of doors. What Mr. Burke did in parliament could hardly have been intended to draw Mr. Fox into any declarations unfavourable to his principles, ſince (by the account of thoſe who are his friends) he had long before effectually prevented the ſucceſs of any ſuch ſcandalous deſigns. Mr. Fox's friends have themſelves done away that imputation on Mr. Burke.

offered to him, as ten times worſe than the outrage itſelf. There is ſuch a ſtrange confuſion of ideas on this ſubject, that it is far more difficult to underſtand the nature of the charge, than to refute it when underſtood. Mr. Fox's friends were, it ſeems, ſeized with a ſudden panick terrour leſt he ſhould paſs for a republican. I do not think they had any ground for this apprehenſion. But let us admit they had. What was there in the Quebec bill, rather than in any other, which could ſubject him or them to that imputation? Nothing in a diſcuſſion of the French conſtitution, which might ariſe on the Quebec bill, could tend to make Mr. Fox paſs for a republican; except he ſhould take occaſion to extol that ſtate of things in France, which affects to be a republick or a confederacy of republicks. If ſuch an encomium could make any unfavourable impreſſion on the king's mind, ſurely his voluntary panegyricks on that event, not ſo much introduced as intruded into other debates, with which they had little relation, muſt have produced that effect with much more certainty, and much greater force. The Quebec bill, at worſt, was only one of thoſe opportunities, carefully ſought, and induſtriouſly improved by himſelf. Mr. Sheridan had already brought forth a panegyrick on the French ſyſtem in a ſtill higher ſtrain, with full as little demand from the nature of the buſineſs before the houſe, in a ſpeech too

good

good to be ſpeedily forgotten. Mr. Fox followed him without any direct call from the ſubject matter, and upon the ſame ground. To canvaſs the merits of the French conſtitution on the Quebec bill, could not draw forth any opinions which were not brought forward before, with no ſmall oſtentation, and with very little of neceſſity, or perhaps of propriety. What mode, or what time of diſcuſſing the conduct of the French faction in England, would not equally tend to kindle this enthuſiaſm, and afford thoſe occaſions for panegyrick, which, far from ſhunning, Mr. Fox has always induſtriouſly ſought? He himſelf ſaid very truly, in the debate, that no artifices were neceſſary to draw from him his opinions upon that ſubject. But to fall upon Mr. Burke for making an uſe, at worſt not more irregular, of the ſame liberty, is tantamount to a plain declaration, that the topick of France is *tabooed* or forbidden ground to Mr. Burke, and to Mr. Burke alone. But ſurely Mr. Fox is not a republican; and what ſhould hinder him, when ſuch a diſcuſſion came on, from clearing himſelf unequivocally (as his friends ſay he had done near a fortnight before) of all ſuch imputations? Inſtead of being a diſadvantage to him, he would have defeated all his enemies, and Mr. Burke, ſince he has thought proper to reckon him amongſt them.

But it ſeems, ſome newſpaper or other had

imputed to him republican principles, on occaſion of his conduct upon the Quebec bill. Suppoſing Mr. Burke to have ſeen theſe newſpapers (which is to ſuppoſe more than I believe to be true) I would aſk, when did the newſpapers forbear to charge Mr. Fox, or Mr. Burke himſelf, with republican principles, or any other principles which they thought could render both of them odious, ſometimes to one deſcription of people, ſometimes to another? Mr. Burke, ſince the publication of his pamphlet, has been a thouſand times charged in the newſpapers with holding deſpotick principles. He could not enjoy one moment of domeſtick quiet, he could not perform the leaſt particle of publick duty, if he did not altogether diſregard the language of thoſe libels. But however his ſenſibility might be affected by ſuch abuſe, it would in *him* have been thought a moſt ridiculous reaſon for ſhutting up the mouths of Mr. Fox or Mr. Sheridan, ſo as to prevent their delivering their ſentiments of the French revolution,—that forſooth, "the newſpapers had lately charged Mr. "Burke with being an enemy to liberty."

I allow that thoſe gentlemen have privileges to which Mr. Burke has no claim. But their friends ought to plead thoſe privileges; and not to aſſign bad reaſons, on the principle of what is fair between man and man, and thereby to put themſelves on a level with thoſe who can ſo eaſily

refute

refute them. Let them ſay at once that his reputation is of no value, and that he has no call to aſſert it; but that theirs is of infinite concern to the party and the publick; and to that conſideration he ought to ſacrifice all his opinions, and all his feelings.

In that language I ſhould hear a ſtyle correſpondent to the proceeding; lofty, indeed, but plain and conſiſtent. Admit, however, for a moment, and merely for argument, that this gentleman had as good a right to continue as they had to begin theſe diſcuſſions, in candour and equity they muſt allow that their voluntary deſcant in praiſe of the French conſtitution was as much an oblique attack on Mr. Burke, as Mr. Burke's inquiry into the foundation of this encomium could poſſibly be conſtrued into an imputation upon them. They well knew, that he felt like other men; and of courſe he would think it mean and unworthy, to decline aſſerting in his place, and in the front of able adverſaries, the principles of what he had penned in his cloſet, and without an opponent before him. They could not but be convinced, that declamations of this kind would rouſe him; that he muſt think, coming from men of their *calibre*, they were highly miſchievous; that they gave countenance to bad men, and bad deſigns; and, though he was aware that the handling ſuch matters in parliament was delicate, yet he

he was a man very likely, whenever, much againſt his will, they were brought there, to reſolve, that there they ſhould be thoroughly ſifted. Mr. Fox, early in the preceding ſeſſion, had publick notice from Mr. Burke of the light in which he conſidered every attempt to introduce the example of France into the politicks of this country; and of his reſolution to break with his beſt friends, and to join with his worſt enemies to prevent it. He hoped that no ſuch neceſſity would ever exiſt. But in caſe it ſhould, his determination was made. The party knew perfectly that he would at leaſt defend himſelf. He never intended to attack Mr. Fox, nor did he attack him directly or indirectly. His ſpeech kept to its matter. No perſonality was employed even in the remoteſt alluſion. He never did impute to that gentleman any republican principles, or any other bad principles or bad conduct whatſoever. It was far from his words; it was far from his heart. It muſt be remembered, that notwithſtanding the attempt of Mr. Fox, to fix on Mr. Burke an unjuſtifiable change of opinion, and the foul crime of teaching a ſet of maxims to a boy, and afterwards, when theſe maxims became adult in his mature age, of abandoning both the diſciple and the doctrine, Mr. Burke never attempted, in any one particular, either to criminate or to recriminate. It may be ſaid, that he had nothing of the kind in his power. This he does not

controvert.

controvert. He certainly had it not in his inclination. That gentleman had as little ground for the charges which he was ſo eaſily provoked to make upon him.

The gentlemen of the party (I include Mr. Fox) have been kind enough to conſider the diſpute brought on by this buſineſs, and the conſequent ſeparation of Mr. Burke from their corps, as a matter of regret and uneaſineſs. I cannot be of opinion, that by his excluſion they have had any loſs at all. A man whoſe opinions are ſo very adverſe to theirs, adverſe, as it was expreſſed, "as "pole to pole," ſo miſchievouſly as well as ſo directly adverſe, that they found themſelves under the neceſſity of ſolemnly diſclaiming them in full parliament, ſuch a man muſt ever be to them a moſt unſeemly and unprofitable incumbrance. A co-operation with him could only ſerve to embarraſs them in all their councils. They have beſides publickly repreſented him as a man capable of abuſing the docility and confidence of ingenuous youth; and, for a bad reaſon, or for no reaſon, of diſgracing his whole publick life by a ſcandalous contradiction of every one of his own acts, writings, and declarations. If theſe charges be true, their excluſion of ſuch a perſon from their body is a circumſtance which does equal honour to their juſtice and their prudence. If they expreſs a degree of ſenſibility in being obliged to execute

execute this wiſe and juſt ſentence, from a conſideration of ſome amiable or ſome pleaſant qualities which in his private life their former friend may happen to poſſeſs, they add, to the praiſe of their wiſdom and firmneſs, the merit of great tenderneſs of heart, and humanity of diſpoſition.

On their ideas, the new Whig party have, in my opinion, acted as became them. The author of the Reflections, however, on his part, cannot, without great ſhame to himſelf, and without entailing everlaſting diſgrace on his poſterity, admit the truth or juſtice of the charges which have been made upon him; or allow that he has in thoſe Reflections diſcovered any principles to which honeſt men are bound to declare, not a ſhade or two of diſſent, but a total fundamental oppoſition. He muſt believe, if he does not mean wilfully to abandon his cauſe and his reputation, that principles, fundamentally at variance with thoſe of his book, are fundamentally falſe. What thoſe principles, the antipodes to his, really are, he can only diſcover from their contrariety. He is very unwilling to ſuppoſe, that the doctrines of ſome books lately circulated are the principles of the party; though from the vehement declarations againſt his opinions, he is at ſome loſs how to judge otherwiſe.

For the preſent, my plan does not render it neceſſary to ſay any thing further concerning the merits

merits either of the one ſet of opinions or the other. The author would have diſcuſſed the merits of both in his place, but he was not permitted to do ſo.

I paſs to the next head of charge, Mr. Burke's inconſiſtency. It is certainly a great aggravation of his fault in embracing falſe opinions, that in doing ſo he is not ſuppoſed to fill up a void, but that he is guilty of a dereliction of opinions that are true and laudable. This is the great gist of the charge againſt him. It is not ſo much that he is wrong in his book (that however is alleged alſo) as that he has therein belied his whole life. I believe, if he could venture to value himſelf upon any thing, it is on the virtue of conſiſtency that he would value himſelf the moſt. Strip him of this, and you leave him naked indeed.

In the caſe of any man who had written ſomething, and ſpoken a great deal, upon very multifarious matter, during upwards of twenty-five years public ſervice, and in as great a variety of important events as perhaps have ever happened in the ſame number of years, it would appear a little hard, in order to charge ſuch a man with inconſiſtency, to ſee collected by his friend, a ſort of digeſt of his ſayings, even to ſuch as were merely ſportive and jocular. This digeſt, however, has been made, with equal pains and partiality, and without bringing out thoſe paſſages of his writings

writings which might tend to ſhew with what reſtrictions any expreſſions, quoted from him, ought to have been underſtood. From a great ſtateſman he did not quite expect this mode of inquiſition. If it only appeared in the works of common pamphleteers, Mr. Burke might ſafely truſt to his reputation. When thus urged, he ought, perhaps, to do a little more. It ſhall be as little as poſſible, for I hope not much is wanting. To be totally ſilent on his charges would not be reſpectful to Mr. Fox. Accuſations ſometimes derive a weight from the perſons who make them, to which they are not entitled for their matter.

He who thinks, that the Britiſh conſtitution ought to conſiſt of the three members, of three very different natures, of which it does actually conſiſt, and thinks it his duty to preſerve each of thoſe members in its proper place, and with its proper proportion of power, muſt (as each ſhall happen to be attacked) vindicate the three ſeveral parts on the ſeveral principles peculiarly belonging to them. He cannot aſſert the democratick part on the principles on which monarchy is ſupported, nor can he ſupport monarchy on the principles of democracy; nor can he maintain ariſtocracy on the grounds of the one or of the other, or of both. All theſe he muſt ſupport on grounds that are totally different, though practically they may be, and happily with us they are, brought

into one harmonious body. A man could not be conſiſtent in defending ſuch various, and, at firſt view, diſcordant parts of a mixed conſtitution, without that ſort of inconſiſtency with which Mr. Burke ſtands charged.

As any one of the great members of this conſtitution happens to be endangered, he that is a friend to all of them chooſes and preſſes the topicks neceſſary for the ſupport of the part attacked, with all the ſtrength, the earneſtneſs, the vehemence, with all the power of ſtating, of argument, and of colouring, which he happens to poſſeſs, and which the caſe demands. He is not to embarraſs the minds of his hearers, or to encumber, or overlay his ſpeech, by bringing into view at once (as if he were reading an academick lecture) all that may and ought, when a juſt occaſion preſents itſelf, to be ſaid in favour of the other members. At that time they are out of the court; there is no queſtion concerning them. Whilſt he oppoſes his defence on the part where the attack is made, he preſumes, that for his regard to the juſt rights of all the reſt, he has credit in every candid mind. He ought not to apprehend, that his raiſing fences about popular privileges this day, will infer that he ought, on the next, to concur with thoſe who would pull down the throne: becauſe on the next he defends the throne, it ought not to be ſuppoſed that he has abandoned the rights of the people.

A man

A man who, among various objects of his equal regard, is ſecure of ſome, and full of anxiety for the fate of others, is apt to go to much greater lengths in his preference of the objects of his immediate ſolicitude than Mr. Burke has ever done. A man ſo circumſtanced often ſeems to undervalue, to vilify, almoſt to reprobate and diſown, thoſe that are out of danger. This is the voice of nature and truth, and not of inconſiſtency and falſe pretence. The danger of any thing very dear to us, removes, for the moment, every other affection from the mind. When Priam had his whole thoughts employed on the body of his Hector, he repels with indignation, and drives from him with a thouſand reproaches, his ſurviving ſons, who with an officious piety crouded about him to offer their aſſiſtance. A good critick (there is no better than Mr. Fox) would ſay, that this is a maſterſtroke, and marks a deep underſtanding of nature in the father of poetry. He would deſpiſe a Zoilus, who would conclude from this paſſage that Homer meant to repreſent this man of affliction as hating, or being indifferent and cold in his affections to the poor relicks of his houſe, or that he preferred a dead carcaſe to his living children.

Mr. Burke does not ſtand in need of an allowance of this kind, which, if he did, by candid criticks ought to be granted to him. If the principles of a mixed conſtitution be admitted, he

wants no more to juſtify to conſiſtency every thing he has ſaid and done during the courſe of a political life juſt touching to its cloſe. I believe that gentleman has kept himſelf more clear of running into the faſhion of wild viſionary theories, or of ſeeking popularity through every means, than any man perhaps ever did in the ſame ſituation.

He was the firſt man who, on the huſtings, at a popular election, rejected the authority of inſtructions from conſtituents: or who, in any place, has argued ſo fully againſt it. Perhaps the diſcredit into which that doctrine of compulſive inſtructions under our conſtitution is ſince fallen, may be due, in a great degree, to his oppoſing himſelf to it in that manner, and on that occaſion.

The reforms in repreſentation, and the bills for ſhortening the duration of parliaments, he uniformly and ſteadily oppoſed for many years together, in contradiction to many of his beſt friends. Theſe friends, however, in his better days, when they had more to hope from his ſervice and more to fear from his loſs than now they have, never choſe to find any inconſiſtency between his acts and expreſſions in favour of liberty, and his votes on thoſe queſtions. But there is a time for all things.

Againſt the opinion of many friends, even againſt the ſolicitation of ſome of them, he oppoſed

oppoſed thoſe of the church clergy, who had petitioned the houſe of commons to be diſcharged from the ſubſcription. Although he ſupported the diſſenters in their petition for the indulgence which he had refuſed to the clergy of the eſtabliſhed church, in this, as he was not guilty of it, ſo he was not reproached with inconſiſtency. At the ſame time he promoted, and againſt the wiſh of ſeveral, the clauſe that gave the diſſenting teachers another ſubſcription in the place of that which was then taken away. Neither at that time was the reproach of inconſiſtency brought againſt him. People could then diſtinguiſh between a difference in conduct, under a variation of circumſtances, and an inconſiſtency in principle. It was not then thought neceſſary to be freed of him as of an incumbrance.

Theſe inſtances, a few among many, are produced as an anſwer to the inſinuation of his having purſued high popular courſes, which in his late book he has abandoned. Perhaps in his whole life he has never omitted a fair occaſion, with whatever riſk to him of obloquy, as an individual, with whatever detriment to his intereſt as a member of oppoſition, to aſſert the very ſame doctrines which appear in that book. He told the houſe, upon an important occaſion, and pretty early in his ſervice, that "being warned by the "ill effect of a contrary procedure in great

" examples, he had taken his ideas of liberty very
" low; in order that they ſhould ſtick to him,
" and that he might ſtick to them to the end of
" his life."

At popular elections the moſt rigorous caſuiſts will remit a little of their ſeverity. They will allow to a candidate ſome unqualified effuſions in favour of freedom, without binding him to adhere to them in their utmoſt extent. But Mr. Burke put a more ſtrict rule upon himſelf than moſt moraliſts would put upon others. At his firſt offering himſelf to Briſtol, where he was almoſt ſure he ſhould not obtain, on that or any occaſion, a ſingle Tory vote, (in fact he did obtain but one) and reſted wholly on the Whig intereſt, he thought himſelf bound to tell to the electors, both before and after his election, exactly what a repreſentative they had to expect in him.

" The *diſtinguiſhing* part of our conſtitution (he
" ſaid) is its liberty. To preſerve that liberty in-
" violate, is the *peculiar* duty and *proper* truſt of a
" member of the houſe of commons. But the li-
" berty, the *only* liberty I mean, is a liberty con-
" nected with *order*, and that not only exiſts *with*
" order and virtue, but cannot exiſt at all *without*
" them. It inheres in good and ſteady govern-
" ment, as in *its ſubſtance and vital principle.*"

The liberty to which Mr. Burke declared himſelf attached, is not French liberty. That liberty

is

is nothing but the rein given to vice and confuſion. Mr. Burke was then, as he was at the writing of his Reflections, awfully impreſſed with the difficulties ariſing from the complex ſtate of our conſtitution and our empire, and that it might require, in different emergencies different ſorts of exertions, and the ſucceſſive call upon all the various principles which uphold and juſtify it. This will appear from what he ſaid at the cloſe of the poll.

" To be a good member of parliament is, let " me tell you, no eaſy taſk; eſpecially at this time, " when there is ſo ſtrong a diſpoſition to run into " the perilous extremes of *ſervile* compliance, or " *wild popularity.* To unite circumſpection with " vigour, is abſolutely neceſſary; but it is ex- " tremely difficult. We are now members for a " rich commercial *city*; this city, however, is but " a part of a rich commercial *nation*, the intereſts " of which are *various, multiform, and intricate.* " We are members for that great *nation* which, " however, is itſelf but a part of a great *empire*, ex- " tended by our virtue and our fortune to the " fartheſt limits of the eaſt and of the weſt. *All* " theſe wide-ſpread intereſts muſt be *conſidered;* " muſt be *compared;* muſt be *reconciled*, if poſſible. " We are members for a *free* country; and ſurely " we all know that the machine of a free conſtitu- " tion is no *ſimple* thing; but as *intricate* and as

" *delicate*, as it is valuable. We are members in a " *great and ancient* MONARCHY; *and we muſt* " *preſerve religiouſly the true legal rights of the* " *ſovereign, which form the key-ſtone that binds* " *together the noble and well-conſtructed arch of* " *our empire and our conſtitution.* A conſtitution " made up of *balanced powers*, muſt ever be a cri- " tical thing. As ſuch I mean to touch that part " of it which comes within my reach."

In this manner Mr. Burke ſpoke to his conſtituents ſeventeen years ago. He ſpoke, not like a partiſan of one particular member of our conſtitution, but as a perſon ſtrongly, and on principle, attached to them all. He thought theſe great and eſſential members ought to be preſerved, and preſerved each in its place; and that the monarchy ought not only to be ſecured in its peculiar exiſtence, but in its pre-eminence too, as the preſiding and connecting principle of the whole. Let it be conſidered, whether the language of his book, printed in 1790, differs from his ſpeech at Briſtol in 1774.

With equal juſtice his opinions on the American war are introduced, as if in his late work he had belied his conduct and opinions in the debates which aroſe upon that great event. On the American war he never had any opinions which he has ſeen occaſion to retract, or which he has ever retracted. He indeed differs eſſentially from

Mr.

Mr. Fox as to the cauſe of that war. Mr. Fox has been pleaſed to ſay, that the Americans rebelled, "becauſe they thought they had not enjoyed liberty enough." This cauſe of the war *from him* I have heard of for the firſt time. It is true that thoſe who ſtimulated the nation to that meaſure, did frequently urge this topick. They contended, that the Americans had from the beginning aimed at independence; that from the beginning they meant wholly to throw off the authority of the crown, and to break their connection with the parent country. This Mr. Burke never believed. When he moved his ſecond conciliatory propoſition in the year 1776, he entered into the diſcuſſion of this point at very great length; and from nine ſeveral heads of preſumption, endeavoured to prove the charge upon that people not to be true.

If the principles of all he has ſaid and wrote on the occaſion, be viewed with common temper, the gentlemen of the party will perceive, that on a ſuppoſition that the Americans had rebelled merely in order to enlarge their liberty, Mr. Burke would have thought very differently of the American cauſe. What might have been in the ſecret thoughts of ſome of their leaders it is impoſſible to ſay. As far as a man, ſo locked up as Dr. Franklin, could be expected to communicate his ideas, I believe he opened them to Mr. Burke. It was, I think, the

very

very day before he ſet out for America, that a very long converſation paſſed between them, and with a greater air of openneſs on the doctor's ſide than Mr Burke had obſerved in him before. In this diſcourſe Dr. Franklin lamented, and with apparent ſincerity, the ſeparation which he feared was inevitable between Great Britain and her colonies. He certainly ſpoke of it as an event which gave him the greateſt concern. America, he ſaid, would never again ſee ſuch happy days as ſhe had paſſed under the protection of England. He obſerved, that ours was the only inſtance of a great empire, in which the moſt diſtant parts and members had been as well governed as the metropolis and its vicinage: but that the Americans were going to loſe the means which ſecured to them this rare and precious advantage. The queſtion with them was not whether they were to remain as they had been before the troubles, for better, he allowed, they could not hope to be; but whether they were to give up ſo happy a ſituation without a ſtruggle? Mr. Burke had ſeveral other converſations with him about that time, in none of which, ſoured and exaſperated as his mind certainly was, did he diſcover any other wiſh in favour of America than for a ſecurity to its *antient* condition. Mr. Burke's converſation with other Americans was large indeed, and his inquiries extenſive and diligent. Truſting to the reſult of all

theſe

theſe means of information, but truſting much more in the publick preſumptive indications I have juſt referred to, and to the reiterated ſolemn declarations of their aſſemblies, he always firmly believed that they were purely on the defenſive in that rebellion. He conſidered the Americans as ſtanding at that time, and in that controverſy, in the ſame relation to England, as England did to king James the Second, in 1688. He believed, that they had taken up arms from one motive only; that is, our attempting to tax them without their conſent; to tax them for the purpoſes of maintaining civil and military eſtabliſhments. If this attempt of ours could have been practically eſtabliſhed, he thought with them, that their aſſemblies would become totally uſeleſs; that under the ſyſtem of policy which was then purſued, the Americans could have no ſort of ſecurity for their laws or liberties, or for any part of them; and, that the very circumſtance of *our* freedom, would have argmented the weight of *their* ſlavery.

Conſidering the Americans on that defenſive footing, he thought Great Britain ought inſtantly to have cloſed with them by the repeal of the taxing act. He was of opinion that our general rights over that country would have been preſerved by this timely conceſſion.* When inſtead of this, a Boſton

* See his ſpeech on American taxation, the 19th of April, 1774.

Boſton port bill, a Maſſachuſet's charter bill, a Fiſhery bill, an Intercourſe bill, I know not how many hoſtile bills ruſhed out like ſo many tempeſts from all points of the compaſs, and were accompanied firſt with great fleets and armies of Engliſh, and followed afterwards with great bodies of foreign troops, he thought that their cauſe grew daily better, becauſe daily more defenſive; and that ours, becauſe daily more offenſive, grew daily worſe. He therefore in two motions, in two ſucceſſive years, propoſed in parliament many conceſſions beyond what he had reaſon to think in the beginning of the troubles would ever be ſeriouſly demanded.

So circumſtanced, he certainly never could and never did wiſh the coloniſts to be ſubdued by arms. He was fully perſuaded, that if ſuch ſhould be the event, they muſt be held in that ſubdued ſtate by a great body of ſtanding forces, and perhaps of foreign forces. He was ſtrongly of opinion that ſuch armies, firſt victorious over Engliſhmen, in a conflict for Engliſh conſtitutional rights and privileges, and afterwards habituated (though in America) to keep an Engliſh people in a ſtate of abject ſubjection, would prove fatal in the end to the liberties of England itſelf; that in the meantime this military ſyſtem would lie as an oppreſſive burthen upon the national finances; that it would conſtantly breed and feed new

diſcuſſions,

diſcuſſions, full of heat and acrimony, leading poſſibly to a new ſeries of wars; and that foreign powers, whilſt we continued in a ſtate at once burthened and diſtracted, muſt at length obtain a decided ſuperiority over us. On what part of his late publication, or on what expreſſion that might have eſcaped him in that work, is any man authorized to charge Mr. Burke with a contradiction to the line of his conduct, and to the current of his doctrines on the American war? The pamphlet is in the hands of his accuſers, let them point out the paſſage if they can.

Indeed, the author has been well ſifted and ſcrutinized by his friends. He is even called to an account for every jocular and light expreſſion. A ludicrous picture which he made with regard to a paſſage in the ſpeech of a late miniſter,* has been brought up againſt him. That paſſage contained a lamentation for the loſs of monarchy to the Americans, after they had ſeparated from Great Britain. He thought it to be unſeaſonable, ill judged, and ill ſorted with the circumſtances of all the parties. Mr. Burke, it ſeems, conſidered it ridiculous to lament the loſs of ſome monarch or other, to a rebel people, at the moment they had for ever quitted their allegiance to theirs and our ſovereign; at the time when they had broken off all connexion with this nation, and had allied

* Lord Lanſdown.

themſelves

themſelves with its enemies. He certainly muſt have thought it open to ridicule: and, now that it is recalled to his memory, (he had, I believe, wholly forgotten the circumſtance) he recollects that he did treat it with ſome levity. But is it a fair inference from a jeſt on this unſeaſonable lamentation, that he was then an enemy to monarchy either in this or in any other country? The contrary perhaps ought to be inferred, if any thing at all can be argued from pleaſantries good or bad. Is it for this reaſon, or for any thing he has ſaid or done relative to the American war, that he is to enter into an alliance offenſive and defenſive with every rebellion, in every country, under every circumſtance, and raiſed upon whatever pretence? Is it becauſe he did not wiſh the Americans to be ſubdued by arms, that he muſt be inconſiſtent with himſelf, if he reprobates the conduct of thoſe ſocieties in England, who alleging no one act of tyranny or oppreſſion, and complaining of no hoſtile attempt againſt our antient laws, rights, and uſages, are now endeavouring to work the deſtruction of the crown of this kingdom, and the whole of its conſtitution? Is he obliged, from the conceſſions he wiſhed to be made to the colonies, to keep any terms with thoſe clubs and federations, who hold out to us as a pattern for imitation, the proceedings in France, in which a king, who had voluntarily and formally

formally diveſted himſelf of the right of taxation, and of all other ſpecies of arbitrary power, has been dethroned?—Is it becauſe Mr. Burke wiſhed to have America rather conciliated than vanquiſhed, that he muſt with well to the army of republicks which are ſet up in France; a country wherein not the people, but the monarch was wholly on the defenſive (a poor, indeed, and feeble defenſive) to preſerve *ſome fragments* of the royal authority againſt a determined and deſperate body of conſpirators, whoſe object it was, with whatever certainty of crimes, with whatever hazard of war, and every other ſpecies of calamity, to annihilate the *whole* of that authority,; to level all ranks, orders, and diſtinctions in the ſtate; and utterly to deſtroy property, not more by their acts than in their principles?

Mr. Burke has been alſo reproached with an inconſiſtency between his late writings and his former conduct, becauſe he had propoſed in parliament ſeveral œconomical, leading to ſeveral conſtitutional reforms. Mr. Burke thought, with a majority of the houſe of commons, that the influence of the crown at one time was too great; but after his majeſty had by a gracious meſſage, and ſeveral ſubſequent acts of parliament, reduced it to a ſtandard which ſatisfied Mr. Fox himſelf, and, apparently at leaſt, contented whoever wiſhed to go fartheſt in that reduction, is Mr. Burke

to

to allow that it would be right for us to proceed to indefinite lengths upon that ſubject? that it would therefore be juſtifiable in a people owing allegiance to a monarchy, and profeſſing to maintain it, not to *reduce*, but wholly to *take away all* prerogative, and *all* influence whatſoever?—Muſt his having made, in virtue of a plan of œconomical regulation, a reduction of the influence of the crown, compel him to allow, that it would be right in the French or in us to bring a king to ſo abject a ſtate, as in function not to be ſo reſpectable as an under-ſheriff, but in perſon not to differ from the condition of a mere priſoner? One would think that ſuch a thing as a medium had never been heard of in the moral world.

This mode of arguing from your having done *any* thing in a certain line, to the neceſſity of doing *every* thing, has political conſequences of other moment than thoſe of a logical fallacy. If no man can propoſe any diminution or modification of an invidious or dangerous power or influence in government, without entitling friends turned into adverſaries, to argue him into the deſtruction of all prerogative, and to a ſpoliation of the whole patronage of royalty, I do not know what can more effectually deter perſons of ſober minds from engaging in any reform; nor how the worſt enemies to the liberty of the ſubject could contrive any method more fit to bring all correctives on the

the power of the crown into ſuſpicion and diſrepute.

If, ſay his accuſers, the dread of too great influence in the crown of Great Britain could juſtify the degree of reform which he adopted, the dread of a return under the deſpotiſm of a monarchy might juſtify the people of France in going much further, and reducing monarchy to its preſent nothing. Mr. Burke does not allow, that a ſufficient argument *ad hominem* is inferable from theſe premiſes. If the horrour of the exceſſes of an abſolute monarchy furniſhes a reaſon for aboliſhing it, no monarchy once abſolute (all have been ſo at one period or other) could ever be limited. It muſt be deſtroyed; otherwiſe no way could be found to quiet the fears of thoſe who were formerly ſubjected to that ſway. But the principle of Mr. Burke's proceeding ought to lead him to a very different concluſion;—to this concluſion,—that a monarchy is a thing perfectly ſuſceptible of reform; perfectly ſuſceptible of a balance of power; and that, when reformed and balanced, for a great country, it is the beſt of all governments. The example of our country might have led France, as it has led him, to perceive that monarchy is not only reconcileable to liberty, but that it may be rendered a great and ſtable ſecurity to its perpetual enjoyment. No correctives which he propoſed to the power of the crown could lead him

to approve of a plan of a republick (if ſo it may be reputed) which has no correctives, and which he believes to be incapable of admitting any. No principle of Mr. Burke's conduct or writings obliged him, from conſiſtency, to become an advocate for an exchange of miſchiefs; no principle of his could compel him to juſtify the ſetting up in the place of a mitigated monarchy, a new and far more deſpotick power, under which there is no trace of liberty, except what appears in confuſion and in crime.

Mr. Burke does not admit that the faction predominant in France have aboliſhed their monarchy and the orders of their ſtate, from any dread of arbitrary power that lay heavy on the minds of the people. It is not very long ſince he has been in that country. Whilſt there he converſed with many deſcriptions of its inhabitants. A few perſons of rank did, he allows, diſcover ſtrong and manifeſt tokens of ſuch a ſpirit of liberty, as might be expected one day to break all bounds. Such gentlemen have ſince had more reaſon to repent of their want of foreſight than I hope any of the ſame claſs will ever have in this country. But this ſpirit was far from general even amongſt the gentlemen. As to the lower orders and thoſe a little above them, in whoſe name the preſent powers domineer, they were far from diſcovering any ſort of diſſatisfaction with the power and prerogatives

prerogatives of the crown. That vain people were rather proud of them: they rather deſpiſed the Engliſh for not having a monarch poſſeſſed of ſuch high and perfect authority. *They* had felt nothing from *Lettres de Cachet.* The Baſtile could inſpire no horrours into *them.* This was a treat for their betters. It was by art and impulſe; it was by the ſiniſter uſe made of a ſeaſon of ſcarcity; it was under an infinitely diverſified ſucceſſion of wicked pretences, wholly foreign to the queſtion of monarchy or ariſtocracy, that this light people were inſpired with their preſent ſpirit of levelling. Their old vanity was led by art to take another turn: It was dazzled and ſeduced by military liveries, cockades, and epaulets, until the French populace was led to become the willing, but ſtill the proud and thoughtleſs inſtrument and victim of another domination. Neither did that people deſpiſe, or hate, or fear their nobility. On the contrary, they valued themſelves on the generous qualities which diſtinguiſhed the chiefs of their nation.

So far as to the attack on Mr. Burke, in conſequence of his reforms.

To ſhew that he has in his laſt publication abandoned thoſe principles of liberty which have given energy to his youth, and in ſpite of his cenſors will afford repoſe and conſolation to his declining age, thoſe who have thought proper in

parliament to declare againſt his book, ought to have produced ſomething in it, which directly or indirectly militates with any rational plan of free government. It is ſomething extraordinary, that they whoſe memories have ſo well ſerved them with regard to light and ludicrous expreſſions which years had conſigned to oblivion, ſhould not have been able to quote a ſingle paſſage in a piece ſo lately publiſhed, which contradicts any thing he has formerly ever ſaid in a ſtyle either ludicrous or ſerious. They quote his former ſpeeches, and his former votes, but not one ſyllable from the book. It is only by a collation of the one with the other that the alleged inconſiſtency can be eſtabliſhed. But as they are unable to cite any ſuch contradictory paſſage, ſo neither can they ſhew any thing in the general tendency and ſpirit of the whole work unfavourable to a rational and generous ſpirit of liberty; unleſs a warm oppoſition to the ſpirit of levelling, to the ſpirit of impiety, to the ſpirit of proſcription, plunder, murder and cannibaliſm, be adverſe to the true principles of freedom.

The author of that book is ſuppoſed to have paſſed from extreme to extreme; but he has always kept himſelf in a medium. This charge is not ſo wonderful. It is in the nature of things, that they who are in the centre of a circle ſhould appear directly oppoſed to thoſe who view them

from any part of the circumference. In that middle point, however, he will ſtill remain, though he may hear people who themſelves run beyond Aurora and the Ganges, cry out, that he is at the extremity of the weſt.

In the ſame debate Mr. Burke was repreſented by Mr. Fox as arguing in a manner which implied that the Britiſh conſtitution could not be defended, but by abuſing all republicks antient and modern. He ſaid nothing to give the leaſt ground for ſuch a cenſure. He never abuſed all republicks. He has never profeſſed himſelf a friend or an enemy to republicks or to monarchies in the abſtract. He thought that the circumſtances and habits of every country, which it is always perilous and productive of the greateſt calamities to force, are to decide upon the form of its government. There is nothing in his nature, his temper, or his faculties, which ſhould make him an enemy to any republick modern or antient. Far from it. He has ſtudied the form and ſpirit of republicks very early in life; he has ſtudied them with great attention; and with a mind undiſturbed by affection or prejudice. He is indeed convinced that the ſcience of government would be poorly cultivated without that ſtudy. But the reſult in his mind from that inveſtigation has been, and is, that neither England nor France, without infinite detriment to them, as well in the event as in the

experiment, could be brought into a republican form; but that every thing republican which can be introduced with ſafety into either of them, muſt be built upon a monarchy; built upon a real, not a nominal monarchy, *as its eſſential baſis*; that all ſuch inſtitutions, whether ariſtocratick or democratick, muſt originate from their crown, and in all their proceedings muſt refer to it; that by the energy of that main ſpring alone thoſe republican parts muſt be ſet in action, and from thence muſt derive their whole legal effect, (as amongſt us they actually do) or the whole will fall into confuſion. Theſe republican members have no other point but the crown in which they can poſſibly unite.

This is the opinion expreſſed in Mr. Burke's book. He has never varied in that opinion ſince he came to years of diſcretion. But ſurely, if at any time of his life he had entertained other notions, (which however he has never held or profeſſed to hold) the horrible calamities brought upon a great people, by the wild attempt to force their country into a republick, might be more than ſufficient to undeceive his underſtanding, and to free it for ever from ſuch deſtructive fancies. He is certain, that many, even in France, have been made ſick of their theories by their very ſucceſs in realiſing them.

To fortify the imputation of a deſertion from his

his principles, his conſtant attempts to reform abuſes, have been brought forward It is true, it has been the buſineſs of his ſtrength to reform abuſes in government; and his laſt feeble efforts are employed in a ſtruggle againſt them. Politically he has lived in that element; politically he will die in it. Before he departs, I will admit for him that he deſerves to have all his titles of merit brought forth, as they have been, for grounds of condemnation, if one word, juſtifying or ſupporting abuſes of any ſort, is to be found in that book which has kindled ſo much indignation in the mind of a great man. On the contrary, it ſpares no exiſting abuſe. Its very purpoſe is to make war with abuſes; not, indeed, to make war with the dead, but with thoſe which live, and flouriſh, and reign.

The *purpoſe* for which the abuſes of government are brought into view, forms a very material conſideration in the mode of treating them. The complaints of a friend are things very different from the invectives of an enemy. The charge of abuſes on the late monarchy of France, was not intended to lead to its reformation, but to juſtify its deſtruction. They who have raked into all hiſtory for the faults of kings, and who have aggravated every fault they have found, have acted conſiſtently; becauſe they acted as enemies. No man can be a friend to a tempered monarchy

who bears a decided hatred to monarchy itſelf. He who, at the preſent time, is favourable, or even fair to that ſyſtem, muſt act towards it as towards a friend with frailties, who is under the proſecution of implacable foes. I think it a duty in that caſe, not to inflame the publick mind againſt the obnoxious perſon, by any exaggeration of his faults. It is our duty rather to palliate his errours and defects, or to caſt them into the ſhade, and induſtriouſly to bring forward any good qualities that he may happen to poſſeſs. But when the man is to be amended, and by amendment to be preſerved, then the line of duty takes another direction. When his ſafety is effectually provided for, it then becomes the office of a friend to urge his faults and vices with all the energy of enlightened affection, to paint them in their moſt vivid colours, and to bring the moral patient to a better habit. Thus I think with regard to individuals; thus I think with regard to antient and reſpected governments and orders of men. A ſpirit of reformation is never more conſiſtent with itſelf, than when it refuſes to be rendered the means of deſtruction.

I ſuppoſe that enough is ſaid upon theſe heads of accuſation. One more I had nearly forgotten, but I ſhall ſoon diſpatch it. The author of the Reflections, in the opening of the laſt parliament, entered on the Journals of the Houſe of Commons a motion

a motion for a remonſtrance to the crown, which is ſubſtantially a defence of the preceding parliament, that had been diſſolved under diſpleaſure. It is a defence of Mr. Fox. It is a defence of the Whigs. By what connexion of argument, by what aſſociation of ideas, this apology for Mr. Fox and his party is, by him and them, brought to criminate his and their apologiſt, I cannot eaſily divine. It is true, that Mr. Burke received no previous encouragement from Mr. Fox, nor any the leaſt countenance or ſuppport at the time when the motion was made, from him or from any gentleman of the party, one only excepted, from whoſe friendſhip, on that and on other occaſions, he derives an honour to which he muſt be dull indeed to be inſenſible.* If that remonſtrance therefore was a falſe or feeble defence of the meaſures of the party, they were in no wiſe affected by it. It ſtands on the Journals. This ſecures to it a permanence which the author cannot expect to any other work of his. Let it ſpeak for itſelf to the preſent age, and to all poſterity. The party had no concern in it; and it can never be quoted againſt them. But in the late debate it was produced, not to clear the party from an improper defence in which they had no ſhare, but for the kind purpoſe of inſinuating an inconſiſtency between the principles of Mr. Burke's defence of

* Mr. Windham.

the

the diſſolved parliament, and thoſe on which he proceeded in his late Reflections on France.

It requires great ingenuity to make out ſuch a parallel between the two caſes, as to found a charge of inconſiſtency in the principles aſſumed in arguing the one and the other. What relation had Mr. Fox's India bill to the conſtitution of France? What relation had that conſtitution to the queſtion of right, in a houſe of commons, to give or to withhold its confidence from miniſters, and to ſtate that opinion to the crown? What had this diſcuſſion to do with Mr. Burke's idea in 1784, of the ill conſequences which muſt in the end ariſe to the crown from ſetting up the commons at large as an oppoſite intereſt to the commons in parliament? What has this diſcuſſion to do with a recorded warning to the people of their raſhly forming a precipitate judgment againſt their repreſentatives? What had Mr. Burke's opinion of the danger of introducing new theoretick language unknown to the records of the kingdom, and calculated to excite vexatious queſtions, into a parliamentary proceeding, to do with the French aſſembly, which defies all precedent, and places its whole glory in realiſing what had been thought the moſt viſionary theories? What had this in common with the abolition of the French monarchy, or with the principles upon which the Engliſh revolution was juſtified; a revolution in

which

which parliament, in all its acts and all its declarations, religiouſly adheres to "the form of ſound "words", without excluding from private diſcuſſions, ſuch terms of art as may ſerve to conduct an inquiry for which none but private perſons are reſponſible? Theſe were the topicks of Mr. Burke's propoſed remonſtrance; all of which topicks ſuppoſe the exiſtence and mutual relation of our three eſtates; as well as the relation of the Eaſt India company to the crown, to parliament, and to the peculiar laws, rights, and uſages of the people of Hindoſtan. What reference, I ſay, had theſe topicks to the conſtitution of France, in which there is no king, no lords, no commons, no India company to injure or ſupport, no Indian empire to govern or oppreſs? What relation had all or any of theſe, or any queſtion which could ariſe between the prerogatives of the crown and the privileges of parliament, with the cenſure of thoſe factious perſons in Great Britain, whom Mr. Burke ſtates to be engaged, not in favour of privilege againſt prerogative, or of prerogative againſt privilege, but in an open attempt againſt our crown and our parliament; againſt our conſtitution in church and ſtate; againſt all the parts and orders which compoſe the one and the other?

No perſons were more fiercely active againſt Mr. Fox, and againſt the meaſures of the houſe of commons diſſolved in 1784, which Mr. Burke defends

defends in that remonſtrance, than ſeveral of thoſe revolution-makers, whom Mr. Burke condemns alike in his remonſtrance, and in his book. Theſe revolutioniſts indeed may be well thought to vary in their conduct. He is, however, far from accuſing them, in this variation, of the ſmalleſt degree of inconſiſtency. He is perſuaded, that they are totally indifferent at which end they begin the demolition of the conſtitution.—Some are for commencing their operations with the deſtruction of the civil powers, in order the better to pull down the eccleſiaſtical; ſome wiſh to begin with the eccleſiaſtical, in order to facilitate the ruin of the civil; ſome would deſtroy the houſe of commons through the crown; ſome the crown through the houſe of commons; and ſome would overturn both the one and the other through what they call the people. But I believe that this injured writer will think it not at all inconſiſtent with his preſent duty, or with his former life, ſtrenuouſly to oppoſe all the various partiſans of deſtruction, let them begin where, or when, or how they will. No man would ſet his face more determinedly againſt thoſe who ſhould attempt to deprive them, or any deſcription of men, of the rights they poſſeſs. No man would be more ſteady in preventing them from abuſing thoſe rights to the deſtruction of that happy order under which they enjoy them. As to their title to any thing further, it

ought

ought to be grounded on the proof they give of the ſafety with which power may be truſted in their hands. When they attempt without diſguiſe, not to win it from our affections, but to force it from our fears, they ſhew, in the character of their means of obtaining it, the uſe they would make of their dominion. That writer is too well read in men not to know how often the deſire and deſign of a tyrannick domination lurks in the claim of an extravagant liberty. Perhaps in the beginning it *always* diſplays itſelf in that manner. No man has ever affected power which he did not hope from the favour of the exiſting government, in any other mode.

The attacks on the author's conſiſtency relative to France, are (however grievous they may be to his feelings) in a great degree external to him and to us, and comparatively of little moment to the people of England. The ſubſtantial charge upon him is concerning his doctrines relative to the revolution of 1688. Here it is, that they who ſpeak in the name of the party have thought proper to cenſure him the moſt loudly, and with the greateſt aſperity. Here they faſten; and, if they are right in their fact, with ſufficient judgment in their ſelection. If he be guilty in this point he is equally blameable, whether he is conſiſtent or not. If he endeavours to delude his countrymen by a falſe repreſentation of the ſpirit of that leading event,

and

and of the true nature and tenure of the government formed in conſequence of it, he is deeply reſponſible; he is an enemy to the free conſtitution of the kingdom. But he is not guilty in any ſenſe. I maintain that in his Reflections he has ſtated the revolution and the ſettlement upon their true principles of legal reaſon and conſtitutional policy.

His authorities are the acts and declarations of parliament given in their proper words. So far as theſe go, nothing can be added to what he has quoted. The queſtion is, whether he has underſtood them rightly. I think they ſpeak plain enough. But we muſt now ſee whether he proceeds with other authority than his own conſtructions; and if he does, on what ſort of authority he proceeds. In this part, his defence will not be made by argument, but by wager of law. He takes his compurgators, his vouchers, his guarantees, along with him. I know, that he will not be ſatisfied with a juſtification proceeding on general reaſons of policy. He muſt be defended on party grounds too; or his cauſe is not ſo tenable as I wiſh it to appear. It muſt be made out for him, not only, that in his conſtruction of theſe publick acts and monuments he conforms himſelf to the rules of fair, legal, and logical interpretation; but it muſt be proved that his conſtruction is in perfect harmony with that of the antient

whigs, to whom, againſt the ſentence of the modern, on his part, I here appeal.

This July, it will be twenty-ſix years* ſince he became connected with a man whoſe memory will ever be precious to Engliſhmen of all parties, as long as the ideas of honour and virtue, publick and private, are underſtood and cheriſhed in this nation. That memory will be kept alive with particular veneration by all rational and honourable whigs. Mr. Burke entered into a connexion with that party, through that man, at an age, far from raw and immature; at thoſe years when men are all they are ever likely to become; when he was in the prime and vigour of his life; when the powers of his underſtanding, according to their ſtandard, were at the beſt; his memory exerciſed; his judgment formed; and his reading, much freſher in the recollection, and much readier in the application, than now it is. He was at that time as likely as moſt men to know what were whig and what were tory principles. He was in a ſituation to diſcern what ſort of whig principles they entertained, with whom it was his wiſh to form an eternal connexion. Fooliſh he would have been at that time of life (more fooliſh than any man who undertakes a publick truſt would be thought) to adhere to a cauſe, which he, amongſt

* July 17th, 1765.

all

all thoſe who were engaged in it, had the leaſt ſanguine hopes of as a road to power.

There are who remember, that on the removal of the whigs in the year 1766, he was as free to chooſe another connexion as any man in the kingdom. To put himſelf out of the way of the negotiations which were then carrying on very eagerly, and through many channels, with the earl of Chatham, he went to Ireland very ſoon after the change of miniſtry, and did not return until the meeting of parliament. He was at that time free from any thing which looked like an engagement. He was further free at the deſire of his friends; for the very day of his return, the marquis of Rockingham wiſhed him to accept an employment under the new ſyſtem. He believes he might have had ſuch a ſituation; but again he cheerfully took his fate with the party.

It would be a ſerious imputation upon the prudence of my friend, to have made even ſuch trivial ſacrifices as it was in his power to make, for principles which he did not truly embrace, or did not perfectly underſtand. In either caſe the folly would have been great. The queſtion now is, whether, when he firſt practically profeſſed whig principles, he underſtood what principles he profeſſed; and whether in his book, he has faithfully expreſſed them.

When

When he entered into the whig party, he did not conceive that they pretended to any diſcoveries. They did not affect to be better whigs, than thoſe were who lived in the days in which principle was put to the teſt. Some of the whigs of thoſe days were then living. They were what the whigs had been at the revolution; what they had been during the reign of queen Anne; what they had been at the acceſſion of the preſent royal family.

What they were at thoſe periods is to be ſeen. It rarely happens to a party to have the opportunity of a clear, authentick, recorded declaration of their political tenets upon the ſubject of a great conſtitutional event like that of the revolution. The whigs had that opportunity, or, to ſpeak more properly, they made it. The impeachment of Dr. Sacheverel was undertaken by a whig miniſtry and a whig houſe of commons, and carried on before a prevalent and ſteady majority of whig peers. It was carried on for the expreſs purpoſe of ſtating the true grounds and principles of the revolution; what the commons emphatically called their *foundation*. It was carried on for the purpoſe of condemning the principles on which the revolution was firſt oppoſed, and afterwards calumniated, in order by a juridical ſentence of the higheſt authority to confirm and fix whig principles, as they had operated both in the reſiſtance

to king James, and in the ſubſequent ſettlement; and to fix them in the extent and with the limitations with which it was meant they ſhould be underſtood by poſterity. The miniſters and managers for the commons were perſons who had, many of them, an active ſhare in the revolution. Moſt of them had ſeen it at an age capable of reflection. The grand event, and all the diſcuſſions which led to it, and followed it, were then alive in the memory and converſation of all men. The managers for the commons muſt be ſuppoſed to have ſpoken on that ſubject the prevalent ideas of the leading party in the commons, and of the whig miniſtry. Undoubtedly they ſpoke alſo their own private opinions; and the private opinions of ſuch men are not without weight. They were not *umbratiles doctores*, men who had ſtudied a free conſtitution only in its anatomy, and upon dead ſyſtems. They knew it alive and in action.

In this proceeding, the whig principles, as applied to the revolution and ſettlement, are to be found, or they are to be found no where. I wiſh the whig readers of this appeal firſt to turn to Mr. Burke's Reflections from page 49 to page 81; and then to attend to the following extracts from the trial of Dr. Sacheverel. After this, they will conſider two things; firſt, whether the doctrine in Mr. Burke's Reflections be conſonant to that of the whigs of that period; and ſecondly,

whether

whether they chooſe to abandon the principles which belonged to the progenitors of ſome of them, and to the predeceſſors of them all, and to learn new principles of whiggiſm, imported from France, and diſſeminated in this country from diſſenting pulpits, from federation ſocieties, and from the pamphlets, which (as containing the political creed of thoſe ſynods) are induſtriouſly circulated in all parts of the two kingdoms. This is their affair, and they will make their option.

Theſe new whigs hold, that the ſovereignty, whether exerciſed by one or many, did not only originate *from* the people (a poſition not denied, nor worth denying or aſſenting to) but that, in the people the ſame ſovereignty conſtantly and unalienably reſides; that the people may lawfully depoſe kings, not only for miſconduct, but without any miſconduct at all; that they may ſet up any new faſhion of government for themſelves, or continue without any government at their pleaſure; that the people are eſſentially their own rule, and their will the meaſure of their conduct; that the tenure of magiſtracy is not a proper ſubject of contract; becauſe magiſtrates have duties, but no rights; and that if a contract *de facto* is made with them in one age, allowing that it binds at all, it only binds thoſe who are immediately concerned in it, but does not paſs to poſterity. Theſe doctrines concerning the *people* (a term which they

are far from accurately defining, but by which, from many circumſtances, it is plain enough they mean their own faction, if they ſhould grow by early arming, by treachery, or violence, into the prevailing force) tend, in my opinion, to the utter ſubverſion, not only of all government, in all modes, and to all ſtable ſecurities to rational freedom, but to all the rules and principles of morality itſelf.

I aſſert, that the antient whigs held doctrines, totally different from thoſe I have laſt mentioned. I aſſert, that the foundations laid down by the commons, on the trial of Dr. Sacheverel, for juſtifying the revolution of 1688, are the very ſame laid down in Mr. Burke's Reflections; that is to ſay,—a breach of the *original contract*, implied and expreſſed in the conſtitution of this country, as a ſcheme of government fundamentally and inviolably fixed in king, lords, and commons.—That the fundamental ſubverſion of this antient conſtitution, by one of its parts, having been attempted, and in effect accompliſhed, juſtified the revolution. That it was juſtified *only* upon the *neceſſity* of the caſe; as the *only* means left for the recovery of that *antient* conſtitution, formed by the *original contract* of the Britiſh ſtate; as well as for the future preſervation of the *ſame* government. Theſe are the points to be proved.

A general opening to the charge againſt Dr. Sacheverel

Sacheverel was made by the attorney-general, Sir John Montagu; but as there is nothing in that opening ſpeech which tends very accurately to ſettle the principle upon which the whigs proceeded in the proſecution (the plan of the ſpeech not requiring it) I proceed to that of Mr. Lechmere, the manager, who ſpoke next after him. The following are extracts, given, not in the exact order in which they ſtand in the printed trial, but in that which is thought moſt fit to bring the ideas of the whig commons diſtinctly under our view.

MR. LECHMERE.*

'It becomes an *indiſpenſable* duty upon us, who 'appear in the name and on the behalf of all the 'commons of Great Britain, not only to demand 'your lordſhips juſtice on ſuch a criminal [Dr. 'Sacheverel] *but clearly and openly to aſſert our 'foundations.*' — — —

'The nature of our conſtitution is that of a *li-'mited monarchy*; wherein the ſupreme power is 'communicated and divided between queen, lords, 'and commons; though the executive power and 'adminiſtration be wholly in the crown. The 'terms of ſuch a conſtitution do not only ſuppoſe,

* State Trials, vol. v. p. 651.

That the contract is mutual content, and binding at all times upon the parties.

'but expreſs, an original contract between the 'crown and the people; by which that ſupreme 'power was (by mutual conſent, and not by ac- 'cident) limited, and lodged in more hands than 'one. And *the uniform preſervation of ſuch a 'conſtitution for ſo many ages, without any fun- 'damental change, demonſtrates to your lordſhips 'the continuance of the ſame contract.*'— — —

The mixed conſtitution uniformly preſerved for many ages, and is a proof of the contract.

'The conſequences of ſuch a frame of govern- 'ment are obvious. That the *laws* are the rule 'to both; the common meaſure of the power of 'the crown, and of the obedience of the ſubject; 'and if the executive part endeavours the *ſubver- 'ſion and total deſtruction of the government*, the 'original contract is thereby broke, and the right 'of allegiance ceaſes; that part of the government, 'thus *fundamentally* injured, hath a right to ſave 'or recover *that* conſtitution in which it had an 'original intereſt.' — — —

Laws the common meaſure to king and ſubject.

Caſe of fundamental injury and breach of original contract.

'The *neceſſary* means (which is the phraſe uſed 'by the commons in their firſt article) are words 'made choice of by them *with the greateſt caution.* 'Thoſe means are deſcribed (in the preamble to 'their charge) to be, that glorious enterprize, 'which his late majeſty undertook, with an arm- 'ed force, to deliver this kingdom from popery 'and arbitrary power; the concurrence of many 'ſubjects of the realm, who came over with him 'in that enterprize, and of many others of *all*

Words *neceſſary means* ſelected with caution.

'*ranks and orders*, who appeared in arms in many 'parts of the kingdom in aid of that enterprize.

'These were the *means* that brought about the 'revolution; and which the act that paſſed ſoon 'after, *declaring the rights and liberties of the 'ſubject, and ſettling the ſucceſſion of the crown*, 'intends, when his late majeſty is therein called the '*glorious inſtrument of delivering the kingdom*; 'and which the commons, in the laſt part of their 'firſt article, expreſs by the word *reſiſtance.*

'But the commons, who will never be unmind- 'ful of the *allegiance* of the ſubjects to the *crown* 'of this realm, judged it highly incumbent upon 'them, out of regard to the *ſafety of her majeſty's 'perſon and government, and the antient and legal 'conſtitution of this kingdom*, to call that reſiſtance 'the *neceſſary* means; thereby plainly founding 'that power, right, and reſiſtance, which was ex- 'erciſed by the people at the time of the happy 'revolution, and which the duties of *ſelf-preſer- 'vation* and religion called them to, *upon the* NE- 'CESSITY *of the caſe, and at the ſame time ef- 'fectually ſecuring her majeſty's government, and 'the due allegiance of all her ſubjects.*" — — —

Regard of the commons to their allegiance to the crown, and to the antient conſtitution.

'The nature of ſuch an *original contract* of go- 'vernment proves, that there is not only a power 'in the people, who have *inherited this freedom*, to 'aſſert their own title to it; but they are bound 'in

All ages have the ſame intereſt in preſervation of the contract, and the ſame conſtitution.

'in duty to tranſmit the *ſame* conſtitution to their 'poſterity alſo.'

* * * * * *

Mr. Lechmere made a ſecond ſpeech. Notwithſtanding the clear and ſatisfactory manner in which he delivered himſelf in his firſt upon this arduous queſtion, he thinks himſelf bound again diſtinctly to aſſert the ſame foundation; and to juſtify the revolution on the *caſe of neceſſity only*, upon principles perfectly coinciding with thoſe laid down in Mr. Burke's letter on the French affairs.

MR. LECHMERE.

The commons ſtrictly confine their ideas of a revolution to neceſſity alone and ſelf-defence.

'Your lordſhips were acquainted, in opening 'the charge, with how *great caution*, and with 'what unfeigned regard to her majeſty and her 'government, and the *duty and allegiance* of her 'ſubjects, the commons made uſe of the words '*neceſſary means*, to expreſs the reſiſtance that was 'made uſe of to bring about the revolution, and 'with the condemning of which the doctor is 'charged by this article; not doubting but that the 'honour and juſtice of that reſiſtance, *from the* '*neceſſity of that caſe, and to which alone we have*

'*ſtrictly*

'*ſtrictly confined ourſelves*, when duly conſidered, 'would confirm and ſtrengthen, † and be under- 'ſtood to be an effectual ſecurity for an allegiance 'of the ſubject to the crown of this realm, *in every* '*other caſe where there is not the ſame neceſſity;* 'and that the right of the people *to ſelf-defence,* '*and preſervation of their liberties, by reſiſtance* '*as their laſt remedy, is the reſult of a caſe of* '*ſuch* neceſſity only, *and by which the* original 'contract *between king and people, is broke.* '*This was the principle laid down and carried* '*through all that was ſaid with reſpect to* alle- 'giance; *and on* which foundation, *in the name* '*and on the behalf of all the commons of Great* '*Britain, we aſſert and juſtify that reſiſtance by* '*which the late happy revolution was brought* '*about.*' — — —

† N.B. The remark implies, that allegiance would be inſecure without this reſtriction.

'It appears to your lordſhips and the world, 'that *breaking the original contract between* '*king and people*, were the words made choice of 'by that houſe of commons, [the houſe of commons 'which originated the declaration of right,] with 'the *greateſt deliberation and judgment*, and ap- 'proved of by your lordſhips, in that firſt and fun- 'damental ſtep towards the *re-eſtabliſhment of* '*the government*, which had received ſo great a 'ſhock from the evil counſels which had been 'given to that unfortunate prince.'

* * * * * *

Sir

Sir John Hawles, another of the managers, follows the ſteps of his brethren, poſitively affirming the doctrine of non-reſiſtance to government to be the general, moral, religious, and political rule for the ſubject; and juſtifying the revolution on the ſame principle with Mr. Burke, that is, *as an exception from neceſſity.*—Indeed he carries the doctrine on the general idea of non-reſiſtance much further than Mr. Burke has done; and full as far as it can perhaps be ſupported by any duty of *perfect obligation;* however noble and heroick it may be in many caſes to ſuffer death rather than diſturb the tranquillity of our country.

SIR JOHN HAWLES.*

'Certainly it muſt be granted, that the doctrine 'that commands obedience to the ſupreme power, 'though in things contrary to nature, even to ſuf- 'fer death, which is the higheſt injuſtice that can 'be done a man, rather than make an oppoſition to 'the ſupreme power [is reaſonable;]† becauſe the 'death of one, or ſome few private perſons, is a

* Page 676.

† The words neceſſary to the completion of the ſentence are wanting in the printed trial—but the conſtruction of the ſentence, as well as the foregoing part of the ſpeech, juſtify the inſertion of ſome ſuch ſupplemental words as the above.

'leſs

'leſs evil than *diſturbing the whole government*; 'that law muſt needs be underſtood to forbid the 'doing or ſaying any thing to diſturb the govern- 'ment; the rather becauſe the obeying that law 'cannot be pretended to be againſt nature: and 'the doctor's refuſing to obey that implicit law, 'is the reaſon for which he is now proſecuted; 'though he would have it believed, that the rea- 'ſon he is now proſecuted, was for the doctrine 'he aſſerted of obedience to the ſupreme power; 'which he might have preached as long as he had 'pleaſed, and the commons would have taken no 'offence at it, if he had ſtopped there, and not 'have taken upon him, on that pretence or occa- 'ſion, to have caſt odious colours upon the revo- 'lution.'

* * * * * *

General Stanhope was among the managers: He begins his ſpeech by a reference to the opinion of his fellow managers, which he hoped had put beyond all doubt the limits and qualifications that the commons had placed to their doctrines concerning the revolution; yet not ſatisfied with this general reference, after condemning the principle of non-reſiſtance, which is aſſerted in the ſermon *without any exception*, and ſtating, that under the ſpecious pretence of preaching a peaceable doctrine

doctrine, Sacheverel and the jacobites meant in reality to excite a rebellion in favour of the pretender, he explicitly limits his ideas of reſiſtance with the boundaries laid down by his colleagues and by Mr. Burke.

GENERAL STANHOPE.

'The conſtitution of England is founded upon 'compact; and the ſubjects of this kingdom have, 'in their ſeveral publick and private capacities, *as* 'legal a title to what are their rights by law, *as* a 'prince to the poſſeſſion of his crown.

Rights of the ſubject and the crown equally legal.

'Your lordſhips, and moſt that hear me, are 'witneſſes, and muſt remember the *neceſſities* of 'thoſe times which brought about the revolution; 'that *no other* remedy was left to preſerve our re- 'ligion and liberties; *that reſiſtance was* neceſſary, 'and *conſequently juſt.*' — — —

Juſtice of reſiſtance founded on neceſſity.

'Had the doctor, in the remaining part of his 'ſermon, preached up peace, quietneſs and the 'like, and ſhewn how happy we are under her 'majeſty's adminiſtration, and exhorted obedience 'to it, he had never been called to anſwer a charge 'at your lordſhips bar. But the tenor of all his 'ſubſequent diſcourſe is one continued invective 'againſt the government.'

* * * * * *

Mr. Walpole (afterwards Sir Robert) was one of the managers on this occaſion. He was an honourable man and a ſound whig. He was not, as the jacobites and diſcontented whigs of his time have repreſented him, and as ill-informed people ſtill repreſent him, a prodigal and corrupt miniſter. They charged him in their libels and ſeditious converſations at having firſt reduced corruption to a ſyſtem. Such was their cant. But he was far from governing by corruption. He governed by party attachments. The charge of ſyſtematick corruption is leſs applicable to him, perhaps, than to any miniſter who ever ſerved the crown for ſo great a length of time. He gained over very few from the oppoſition. Without being a genius of the firſt claſs, he was an intelligent, prudent, and ſafe miniſter. He loved peace; and he helped to communicate the ſame diſpoſition to nations at leaſt as warlike and reſtleſs as that in which he had the chief direction of affairs. Though he ſerved a maſter who was fond of martial fame, he kept all the eſtabliſhments very low. The land tax continued at two ſhillings in the pound for the greater part of his adminiſtration. The other impoſitions were moderate. The profound repoſe, the equal liberty, the firm protection of juſt laws during the long period of his power, were the principal cauſes of that proſperity, which afterwards took ſuch rapid ſtrides towards perfection;

perfection; and which furniſhed to this nation ability to acquire the military glory which it has ſince obtained, as well as to bear the burthens, the cauſe and conſequence of that warlike reputation. With many virtues, publick and private, he had his faults, but his faults were ſuperficial. A careleſs, coarſe, and over familiar ſtyle of diſcourſe, without ſufficient regard to perſons or occaſions, and an almoſt total want of political decorum, were the errours by which he was moſt hurt in the publick opinion; and thoſe through which his enemies obtained the greateſt advantage over him. But juſtice muſt be done. The prudence, ſteadineſs, and vigilance of that man, joined to the greateſt poſſible lenity in his character and his politicks, preſerved the crown to this royal family; and with it, their laws and liberties to this country. Walpole had no other plan of defence for the revolution, than that of the other managers, and of Mr. Burke; and he gives full as little countenance to any arbitrary attempts, on the part of reſtleſs and factious men, for framing new governments according to their fancies.

MR. WALPOLE.

Caſe of reſiſtance out of the law; and the higheſt offence.

'Reſiſtance is no where enacted to be legal, but 'ſubjected, by all the laws now in being, to the 'greateſt penalties. It is what is not, cannot, nor 'ought

'ought ever to be deſcribed, or affirmed, in any 'poſitive law, to be excuſable: when, and upon 'what *never-to-be-expected* occaſions, it may be ex-'erciſed, no man can foreſee; *and it ought never 'to be thought of, but when an utter ſubverſion of 'the laws of the realm threatens the whole frame 'of our conſtitution, and no redreſs can other-'wiſe be hoped for.* It therefore does, and *ought for 'ever*, to ſtand, in the eye and letter of the law, as 'the *higheſt offence.* But becauſe any man, or 'party of men, may not, out of folly or wantonneſs, 'commit treaſon, or make their own diſcontents, 'ill principles, or diſguiſed affections to another in-'tereſt, a pretence to reſiſt the ſupreme power, 'will it follow from thence that the *utmoſt neceſ-'ſity* ought not to engage a nation *in its own 'defence, for the preſervation of the whole?'*

Utmoſt neceſſity juſtifies it.

* * * * * * *

Sir Joſeph Jekyl was, as I have always heard and believed, as nearly as an individual could be, the very ſtandard of whig principles in his age. He was a learned, and an able man; full of honour, integrity, and publick ſpirit; no lover of innovation; nor diſpoſed to change his ſolid principles for the giddy faſhion of the hour. Let us hear this whig.

LIBRARY OF THE BOMBAY BRANCH OF THE ROYAL ASIATIC SOCIETY

SIR

SIR JOSEPH JEKYL.

Commons do not ſtate the limits of ſubmiſſion.

'In clearing up and vindicating the juſtice of 'the revolution, which was the ſecond thing pro- 'poſed, it is far from the intent of the commons 'to ſtate the *limits and bounds* of the ſubject's ſub- 'miſſion to the ſovereign. That which the law 'hath been wiſely ſilent in, the commons deſire to 'be ſilent in too; nor will they put *any* caſe of a 'juſtifiable reſiſtance, but that of the revolution 'only; and *they perſuade themſelves that the* 'doing right to that reſiſtance will be ſo far from 'promoting popular licence or confuſion, that it

To ſecure the laws, the only aim of the revolution.

'will have a contrary effect, and be a means of 'ſettling men's minds in the love of, and venera- 'tion for the laws;* to reſcue and ſecure which, 'was the ONLY *aim and intention of thoſe con- 'cerned in reſiſtance.'

* * * * * *

Dr. Sacheverel's counſel defended him on this principle, namely—that whilſt he enforced from the pulpit the general doctrine of non-reſiſtance, he was not obliged to take notice of the theoretick limits which ought to modify that doctrine. Sir Joſeph Jekyl, in his reply, whilſt he controverts its application to the doctor's defence, fully admits

and

and even enforces the principle itſelf, and ſupports the revolution of 1688, as he and all the managers had done before, exactly upon the ſame grounds on which Mr. Burke has built, in his Reflections on the French revolution.

SIR JOSEPH JEKYL:

'If the Doctor had pretended to have ſtated the particular bounds and limits of non-reſiſtance, and told the people in what caſes they might, or might not reſiſt, *he would have been much to blame;* nor was one word ſaid in the articles, or by the managers, as if that was expected from him: but, *on the contrary, we have inſiſted, that in NO caſe can reſiſtance be lawful, but in caſe of* extreme neceſſity; *and where the conſtitution cannot otherwiſe be preſerved; and ſuch neceſſity ought to be plain and obvious to the ſenſe and judgment of the whole nation; and this was the caſe at the Revolution.*'

Blameable to ſtate the bounds of non-reſiſtance.

Reſiſtance lawful only in caſe of extreme and obvious neceſſity.

* * * * *

The counſel for Doctor Sacheverel, in defending their client, were driven in reality to abandon the fundamental principles of his doctrine, and to confeſs, that an exception to the general doctrine

of paſſive obedience and non-reſiſtance did exiſt in the caſe of the Revolution. This the managers for the commons conſidered as having gained their cauſe; as their having obtained *the whole* of what they contended for. They congratulated themſelves and the nation on a civil victory, as glorious and as honourable as any that had obtained in arms during that reign of triumphs.

Sir Joſeph Jekyl, in his reply to Harcourt, and the other great men who conducted the cauſe for the tory ſide, ſpoke in the following memorable terms, diſtinctly ſtating the whole of what the whig houſe of commons contended for, in the name of all their conſtituents:—

SIR JOSEPH JEKYL.

Neceſſity creates an exception, and the Revolution a caſe of neceſſity, the utmoſt extent of the demand of the Commons.

'My lords, the conceſſions [the conceſſions of 'Sacheverel's counſel] are theſe:—That *neceſſity* 'creates an *exception* to the general rule of ſub-'miſſion to the prince;—that ſuch exception is 'underſtood or implied in the laws that require 'ſuch ſubmiſſion;—and that *the caſe of the re-'volution was a caſe of neceſſity.*

'Theſe are conceſſions *ſo ample*, and do ſo *fully* 'anſwer the drift of the commons in this article, 'and are to *the utmoſt extent of their meaning in 'it*, that I can't forbear congratulating them upon

'this

'this ſucceſs of their impeachment; that in full 'parliament, this erroneous doctrine of *unlimited* 'non-reſiſtance is given up and diſclaimed. And 'may it not, in after ages, be an addition to the 'glories of this bright reign, that ſo many of thoſe 'who are honoured with being in her majeſty's 'ſervice have been at your lordſhips' bar, thus 'ſucceſsfully contending for the *national* rights of 'her people, and proving they are not precarious 'or remedileſs?

'But to return to theſe conceſſions; I muſt ap-'peal to your lordſhips, whether they are not a '*total departure* from the Doctor's anſwer.'

* * * * * *

I now proceed to ſhew that the whig managers for the commons meant to preſerve the government on a firm foundation, by aſſerting the perpetual validity of the ſettlement then made, and its coercive power upon poſterity. I mean to ſhew that they gave no ſort of countenance to any doctrine tending to impreſs the *people*, taken ſeparately from the legiſlature which includes the crown, with an idea that *they* had acquired a moral or civil competence to alter (without breach of the original compact on the part of the king) the ſucceſſion to the crown, at their pleaſure; much leſs that they had acquired any right, in the caſe of

ſuch an event as cauſed the revolution, to ſet up any new form of government. The author of the Reflections, I believe, thought that no man of common underſtanding could oppoſe to this doctrine, the ordinary ſovereign power, as declared in the act of queen Anne. That is, that the kings or queens of the realm, with the conſent of parliament, are competent to regulate and to ſettle the ſucceſſion of the crown. This power is and ever was inherent in the ſupreme ſovereignty; and was not, as the political divines vainly talk, acquired by the Revolution. It is declared in the old ſtatute of queen Elizabeth. Such a power muſt reſide in the complete ſovereignty of every kingdom; and it is in fact exerciſed in all of them. But this right of *competence* in the legiſlature, not in the people, is by the legiſlature itſelf to be exerciſed with *ſound diſcretion*; that is to ſay, it is to be exerciſed or not, in conformity to the fundamental principles of this government; to the rules of moral obligation; and to the faith of pacts, either contained in the nature of the tranſaction, or entered into by the body corporate of the kingdom; which body, in juridical conſtruction, never dies; and in fact never loſes its members at once by death.

Whether this doctrine is reconcileable to the modern philoſophy of government, I believe the author neither knows nor cares; as he has little

reſpect

reſpect for any of that ſort of philoſophy. This may be becauſe his capacity and knowledge do not reach to it. If ſuch be the caſe, he cannot be blamed, if he acts on the ſenſe of that incapacity; he cannot be blamed, if in the moſt arduous and critical queſtions which can poſſibly ariſe, and which affect to the quick the vital parts of our conſtitution, he takes the ſide which leans moſt to ſafety and ſettlement; that he is reſolved not "to "be wiſe beyond what is written" in the legiſlative record and practice; that when doubts ariſe on them, he endeavours to interpret one ſtatute by another; and to reconcile them all to eſtabliſhed recogniſed morals, and to the general antient known policy of the laws of England. Two things are equally evident, the firſt is, that the legiſlature poſſeſſes the power of regulating the ſucceſſion of the crown; the ſecond, that in the exerciſe of that right it has uniformly acted as if under the *reſtraints* which the author has ſtated. That author makes what the antients call *mos majorum*, not indeed his ſole, but certainly his principal rule of policy, to guide his judgment in whatever regards our laws. Uniformity and analogy can be preſerved in them by this proceſs only. That point being fixed, and laying faſt hold of a ſtrong bottom, our ſpeculations may ſwing in all directions, without publick detriment, becauſe they will ride with ſure anchorage.

In this manner theſe things have been always conſidered by our anceſtors. There are ſome indeed who have the art of turning the very acts of parliament which were made for ſecuring the hereditary ſucceſſion in the preſent royal family, by rendering it penal to doubt of the validity of thoſe acts of parliament, into an inſtrument for defeating all their ends and purpoſes: but upon grounds ſo very fooliſh, that it is not worth while to take further notice of ſuch ſophiſtry.

To prevent any unneceſſary ſubdiviſion, I ſhall here put together what may be neceſſary to ſhew the perfect agreement of the whigs with Mr. Burke, in his aſſertions, that the Revolution made no "eſſential change in the conſtitution of the "monarchy, or in any of its antient, ſound, and "legal principles; that the ſucceſſion was ſettled "in the Hanover family, upon the idea, and in "the mode of an hereditary ſucceſſion qualified "with Proteſtantiſm; that it was not ſettled upon "*elective* principles, in any ſenſe of the word *elec-*"*tive*, or under any modification or deſcription "of *election* whatſoever; but, on the contrary, "that the nation, after the revolution, renewed "by a freſh compact the ſpirit of the original "compact of the ſtate, binding itſelf, *both in its* "*exiſting members and all its poſterity*, to adhere "to the ſettlement of an hereditary ſucceſſion in "the Proteſtant line, drawn from James the Firſt, "as the ſtock of inheritance."

SIR

SIR JOHN HAWLES.

Neceſſity of ſettling the right of the crown, and ſubmiſſion to the ſettlement.

'If he [Dr. Sacheverel] is of the opinion he 'pretends, I cannot imagine how it comes to paſs, 'that he that pays that deference to the ſupreme 'power has preached ſo directly contrary to the 'determinations of the ſupreme power in this 'government; he very well knowing that the 'lawfulneſs of the Revolution, and of the means 'whereby it was brought about, has already been 'determined by the aforeſaid acts of parliament: 'and do it in the worſt manner he could invent. '*For queſtioning the right to the crown here in 'England, has procured the ſhedding of more 'blood, and cauſed more ſlaughter, than all the 'other matters tending to diſturbances in the go-'vernment, put together.* If, therefore, the doc-'trine which the apoſtles had laid down, was only to 'continue the peace of the world, as thinking the 'death of ſome few particular perſons better to be 'borne with than a civil war; ſure it is the higheſt 'breach of that law to queſtion the firſt principles 'of this government.'

'If the Doctor had been contented with the 'liberty he took of preaching up the duty of paſ-'ſive obedience, in the moſt extenſive manner he 'had thought fit, and would have ſtopped there, 'your lordſhips would not have had the trouble,

'in relation to him, that you now have; but it is 'plain, that he preached up his abſolute and un- 'conditional obedience, not *to continue the peace* '*and tranquillity of this nation, but to ſet the ſub-* '*jects at ſtrife, and to raiſe a war in the bowels of* '*this nation*; and it is for *this* that he is now pro- 'ſecuted; though he would fain have it believed 'that the proſecution was for preaching the peace- 'able doctrine of abſolute obedience.'

* * * * * *

SIR JOSEPH JEKYL.

Whole frame of government reſtored unhurt, on the Revolution.

'The whole tenor of the adminiſtration, then 'in being, was agreed by all to be *a total depar-* '*ture from the conſtitution.* The nation was at 'that time united in that opinion, all but the cri- 'minal part of it. And as the nation joined in the 'judgment of their diſeaſe, ſo they did in the re- 'medy. *They ſaw there was no remedy left but* '*the laſt*; and when that remedy took place, *the* '*whole frame of the government was reſtored en-* '*tire and unhurt.** This ſhewed the excellent 'temper

* 'What we did was, in truth and ſubſtance and in a con- 'ſtitutional light, a revolution, not made, but prevented. We 'took ſolid ſecurities; we ſettled doubtful queſtions; we cor- 'rected anomalies in our law. In the ſtable fundamental parts 'of

temper the nation was in at that time, that, after ‘ such provocations from an abuse of the regal ‘ power, and such a convulsion, *no one part of the* ‘ *constitution was altered, or suffered the least* ‘ *damage: but, on the contrary, the whole re-* ‘ *ceived new life and vigour.*’

* * * * * *

The tory counsel for Dr. Sacheverel having insinuated, that a great and essential alteration in the constitution had been wrought by the revolution, Sir Joseph Jekyl is so strong on this point, that he takes fire even at the insinuation of his being of such an opinion.

SIR JOSEPH JEKYL.

‘ If the Doctor instructed his counsel to in- ‘ sinuate that there was *any innovation in the constitution,* No innovation at the Revolution.

‘ of our constitution, we made no revolution; no, nor any ‘ alteration at all. We did not impair the monarchy. Perhaps ‘ it might be shewn that we strengthened it very considerably. ‘ The nation kept the same ranks, the same orders, the same ‘ privileges, the same franchises, the same rules for property, ‘ the same subordinations, the same order in the law, in the ‘ revenue, and in the magistracy; the same lords, the same com- ‘ mons, the same corporations, the same electors.’ *Mr. Burke's speech in the house of commons, 9th February* 1790. It appears how exactly he coincides in every thing with Sir Joseph Jekyl.

'*conſtitution wrought by the revolution, it is an* '*addition to his crime. The revolution did not* '*introduce any innovation; it was a reſtora-* '*tion of the antient fundamental conſtitution of* '*the kingdom,* and giving it its proper force and '*energy.*'

* * * * * *

The ſolicitor general, Sir Robert Eyre, diſtinguiſhes expreſsly the caſe of the Revolution, and its principles, from a proceeding at pleaſure, on the part of the people, to change their antient conſtitution, and to frame a new government for themſelves. He diſtinguiſhes it with the ſame care from the principles of regicide, and republicaniſm, and the ſorts of reſiſtance condemned by the doctrines of the church of England, and, which ought to be condemned, by the doctrines of all churches profeſſing Chriſtianity.

MR. SOLICITOR GENERAL, SIR ROBERT EYRE.

Revolution no precedent for voluntary cancelling allegiance.

'The reſiſtance at the revolution, which was '*founded in unavoidable neceſſity,* could be no de- '*fence to a man that was attacked for aſſerting* '*that the people might cancel their allegiance at* '*pleaſure, or dethrone and murder their ſove-* '*reign by a judiciary ſentence.* For it can never 'be inferred from the lawfulneſs of reſiſtance, at

'a time when *a total ſubverſion of the govern-*
'*ment both in church and ſtate was intended*,
'that a people may take up arms, and *call their ſo-*
'*vereign to account at pleaſure;* and, therefore,
'ſince *the revolution could be of no ſervice in giv-*
'*ing the leaſt colour for aſſerting any ſuch wicked*
'*principle*, the doctor could never intend to put it
'into the mouths of thoſe new preachers, and new
'politicians, for a defence; unleſs it be his opinion,
'that the reſiſtance at the Revolution can bear any
'parallel with the *execrable murder of the royal*
'*martyr, ſo juſtly deteſted by the whole nation.*

Revolution not like the caſe of Charles the Firſt.

'It is plain that the Doctor is not impeached
'for preaching a general doctrine, and enforcing
'the general duty of obedience, but for preaching
'againſt an *excepted caſe, after he has ſtated the*
'*exception.* He is not impeached for preaching the
'general doctrine of obedience, and the utter ille-
'gality of reſiſtance upon any pretence whatſo-
'ever; but becauſe, having firſt laid down the
'general doctrine as true, without any exception,
'*he ſtates the excepted caſe*, the Revolution, in
'expreſs terms, as an objection; and then aſſum-
'ing the conſideration of that excepted caſe, de-
'nies there was any reſiſtance in the Revolution;
'and aſſerts, that to impute reſiſtance to the Revo-
'lution, would caſt black and odious colours upon
'it. This is not preaching the doctrine of non-
'reſiſtance, in the *general* terms uſed by the
'homilies,

'homilies, and the fathers of the church, where
'caſes of neceſſity may be *underſtood to be excepted*
'*by a tacit implication, as the counſel have allow-*
'*ed;* but is preaching directly againſt the reſiſtance
'at the Revolution, which, in the courſe of this de-
'bate, has been all along admitted to *be neceſſary*
Sacheverel's doctrine intended to bring an odium on the Revolution.
'*and juſt*, and can have no other meaning than to
'bring a diſhonour upon the Revolution, and an
'odium upon thoſe great and illuſtrious perſons,
'*thoſe friends to the monarchy and the church,*
'*that aſſiſted in bringing it about.* For had the
'doctor intended any thing elſe, he would have
'treated the caſe of the Revolution in a different
'manner, and have given *it the true and fair*
True defence of the Revolution on abſolute neceſſity.
'*anſwer;* he would have ſaid, that the reſiſtance
'at the Revolution was *of abſolute neceſſity, and*
'*the only means left to revive the conſtitution;*
'*and muſt therefore be taken as an excepted caſe,*
'and could never come within the reach and in-
'tention of the general doctrine of the church.

'Your lordſhips take notice on what grounds
'the Doctor continues to aſſert the ſame poſition
'in his anſwer. But is it not moſt evident, that
'the general exhortations to be met with in the
'homilies of the church of England, and ſuch like
'declarations in the ſtatutes of the kingdom, are
'meant only as rules for the civil obedience of the
'ſubject to the legal adminiſtration of the ſupreme
'power in *ordinary caſes?* And it is equally

'abſurd,

'. abſurd, to conſtrue any words in a poſitive law to
' authorize the deſtruction of the whole, as to ex-
' pect that king, lords, and commons ſhould, in
' expreſs terms of law, declare *ſuch an ultimate re-*
' *ſort as the right of reſiſtance, at a time when the*
' *caſe ſuppoſes that the force of all law is ceaſed.**

' The commons muſt always reſent, with the utmoſt deteſtation and abhorrence, every poſi-
' tion that may ſhake the authority of that act of
' parliament, whereby the crown is ſettled upon
' her majeſty, *and whereby the lords ſpiritual and*
' *temporal and commons do, in the name of all the*
' *people of England, moſt humbly and faithfully*
' *ſubmit themſelves, their heirs and poſterities, to*
' *her majeſty,* which this general principle of abſo-
' lute non-reſiſtance muſt certainly ſhake.

Commons abhor whatever ſhakes the ſubmiſſion of poſterity to the ſettlement of the crown.

' For, if the reſiſtance at the Revolution was il-
' legal, the Revolution ſettled in uſurpation, and
' this act can have no greater force and authority
' than an act paſſed under an uſurper.

' And the commons take leave to obſerve, that
' the authority of the parliamentary ſettlement is
' a matter of the greateſt conſequence to maintain,
' in a caſe where the hereditary right to the crown
' is conteſted.

' It appears by the ſeveral inſtances mentioned
' in the act declaring the rights and liberties of the
' ſubject, and ſettling the ſucceſſion of the crown,

* See Reflections, p. 121-2-3.

' that

'that at the time of the revolution there was *a* 'total *ſubverſion of the conſtitution of govern-* 'ment *both in church and ſtate, which is a caſe* 'that *the laws of England could never ſuppoſe,* 'provide *for, or have in view.*'

* * * * * *

Sir Joſeph Jekyl, ſo often quoted, conſidered the preſervation of the monarchy, and of the rights and prerogatives of the crown, as eſſential objects with all ſound whigs; and that they were bound, not only to maintain them when injured or invaded, but to exert themſelves as much for their re-eſtabliſhment, if they ſhould happen to be overthrown by popular fury, as any of their own more immediate and popular rights and privileges, if the latter ſhould be at any time ſubverted by the crown. For this reaſon he puts the caſes of the *Revolution* and the *Reſtoration*, exactly upon the ſame footing. He plainly marks, that it was the object of all honeſt men, not to ſacrifice one part of the conſtitution to another; and much more, not to ſacrifice any of them to viſionary theories of the rights of man; but to preſerve our whole inheritance in the conſtitution, in all its members and all its relations, entire, and unimpaired, from generation to generation. In this Mr. Burke exactly agrees with him.

SIR

SIR JOSEPH JEKYL.

'Nothing is plainer than that the people have a right to the laws and the conſtitution. This right the nation hath aſſerted, and recovered out of the hands of thoſe who had diſpoſſeſſed them of it at ſeveral times. There are of this *two famous inſtances* in the knowledge of the preſent age; I mean that of the *Reſtoration*, and that of the *Revolution;* in both of theſe great events were the *regal power*, and the *rights of the people* recovered. And it is *hard to ſay in which the people have the greateſt intereſt; for the commons are ſenſible that there is not one legal power belonging to the crown, but they have an intereſt in it; and I doubt not but they will always be as careful to ſupport the rights of the crown as their own privileges.*'

What are the rights of the people.

Reſtoration and Revolution.

People have an equal intereſt in the legal rights of the crown and of their own.

The other whig managers regarded (as he did) the overturning of the monarchy by a republican faction with the very ſame horrour and deteſtation with which they regarded the deſtruction of the privileges of the people by an arbitrary monarch.

MR. LECHMERE,

Speaking of our conſtitution, ſtates it as 'a conſtitution which happily recovered itſelf, at the 'Reſtoration,

Conſtitution recovered at the Reſtoration and Revolution.

'reſtoration, from the confuſions and diſorders 'which *the horrid and deteſtable proceedings of* '*faction and uſurpation had thrown it into*, 'and which, after many convulſions and ſtruggles, 'was providentially ſaved at the late happy Revo-'lution; and, by the many good laws paſſed ſince 'that time, ſtands now upon a firmer foundation; 'together with the moſt comfortable proſpect of '*ſecurity to all poſterity*, by the ſettlement of the 'crown in the proteſtant line.'

* * * * * *

I mean now to ſhew that the whigs, (if Sir Joſeph Jekyl was one) and if he ſpoke in conformity to the ſenſe of the whig houſe of commons and the whig miniſtry who employed him, did carefully guard againſt any preſumption that might ariſe from the repeal of the non-reſiſtance oath of Charles the Second, as if, at the Revolution, the antient principles of our government were at all changed—or that republican doctrines were countenanced—or any ſanction given to ſeditious proceedings upon general undefined ideas of miſconduct—or for changing the form of government—or for reſiſtance upon any other ground than the *neceſſity* ſo often mentioned for the purpoſe of ſelf-preſervation. It will ſhew ſtill more clearly the equal care of the then whigs, to prevent either the

regal

regal power from being ſwallowed up on pretence of popular rights, or the popular rights from being deſtroyed on pretence of regal prerogatives.

SIR JOSEPH JEKYL.

'Further, I deſire it may be conſidered, that 'theſe legiſlators [the legiſlators who framed the 'non-reſiſtance oath of Charles the Second] were 'guarding againſt the conſequences of thoſe *pernicious and antimonarchical principles which had been broached a little before in this nation*; 'and thoſe large declarations in favour of *non-reſiſtance* were made to encounter or obviate the '*miſchief* of thoſe principles; as appears by the 'preamble to the fulleſt of thoſe acts, which is the '*militia act*, in the 13th and 14th of king Charles 'the Second. The words of that act are theſe: '*And during the late uſurped governments, many 'evil and rebellious principles have been inſtilled 'into the minds of the people of this kingdom, 'which may break forth, unleſs prevented, to the 'diſturbance of the peace and quiet thereof: Be 'it therefore enacted, &c.* Here your lordſhips 'may ſee the reaſon that inclined thoſe legiſlators 'to expreſs themſelves in ſuch a manner againſt 'reſiſtance. *They had ſeen the regal rights ſwallowed up under the pretence of popular ones*; 'and it is no imputation on them that they did 'not

Miſchief of broaching antimonarchical principles.

Two caſes of reſiſtance, one to preſerve the crown, the other the rights of the ſubject.

'not then foreſee a *quite different caſe*, as was 'that of the revolution; where, under the pretence 'of regal authority, a total ſubverſion of the rights 'of the ſubject was advanced, and in a manner 'effected. And this may ſerve to ſhew, that it 'was not the deſign of thoſe legiſlators to con-'demn reſiſtance, in a caſe *of abſolute neceſſity, 'for preſerving the conſtitution*, when they were 'guarding againſt principles which had ſo lately 'deſtroyed it.

Non-reſiſtance oath not repealed, becauſe (with the reſtriction of neceſſity) it was falſe but to prevent falſe interpretations.

'As to the truth of the doctrine in this declara-'tion which was repealed, *I will admit it to be as 'true as the doctor's counſel aſſert it; that is, 'with an exception of caſes of neceſſity;* and it was 'not repealed becauſe it was falſe *underſtanding 'it with that reſtriction;* but it was repealed be-'cauſe it might be interpreted in *an unconfined 'ſenſe, and excluſive of that reſtriction;* and be-'ing ſo underſtood, would reflect on the juſtice of 'the revolution: and this the legiſlature had at 'heart, and were very jealous of; and by this repeal 'of that declaration, gave a parliamentary or legiſ-'lative admonition, againſt aſſerting this doctrine 'of non-reſiſtance *in an unlimited ſenſe.*' — —.

General doctrine of non-reſiſtance godly and wholeſome; not bound to ſtate, *explicitly* the exceptions.

'Though the general doctrine of non-reſiſtance, 'the doctrine of the church of England, as ſtated 'in her homilies, or elſewhere delivered, by which 'the general duty of ſubjects to the higher powers 'is taught, be owned to be, as unqueſtionably it

'is,

'is, *a godly and wholeſome doctrine*; though this 'general doctrine has been conſtantly inculcated 'by the reverend fathers of the church, dead and 'living, and preached by them as a preſervative 'againſt the popiſh doctrine of depoſing princes, 'and as the ordinary rule of obedience; and 'though the ſame doctrine has been preached, 'maintained, and avowed by our moſt orthodox 'and able divines from the time of the refor-'mation; and how *innocent a man* Dr. Sacheverel 'had been, if *with an honeſt and well-meant zeal*, 'he had preached the ſame doctrine in the ſame 'general terms in which he found it delivered by 'the apoſtles of Chriſt, as taught by the homilies, 'and the reverend fathers of our church, and, in 'imitation of thoſe great examples, had only preſſ-'ed the general duty of obedience, and the illega-'lity of reſiſtance, without taking notice of any 'exception.'

* * * * * *

Another of the managers for the houſe of commons, Sir John Holland, was not leſs careful in guarding againſt a confuſion of the principles of the revolution, with any looſe general doctrines of a right in the individual, or even in the people, to undertake for themſelves, on any prevalent temporary opinions of convenience or improvement,

any fundamental change in the conſtitution, or to fabricate a new government for themſelves, and thereby to diſturb the publick peace, and to unſettle the antient conſtitution of this kingdom.

SIR JOHN HOLLAND.

Submiſſion to ſovereign a conſcientious duty, except in caſes of neceſſity.

'The commons would not be underſtood, as if 'they were pleading for a licentious reſiſtance; as 'if *ſubjects* were left to *their* good-will and pleaſure, when they are to *obey*, and when to *reſiſt*. 'No, my lords, they know they are *obliged by all 'the ties of ſocial creatures and Chriſtians, for 'wrath and conſcience ſake, to ſubmit to their 'ſovereign*. The commons do not abet *humour-'ſome factious arms*: they aver them to be *rebel-'lious*. But yet they maintain, that that reſiſtance 'at the revolution, which was ſo *neceſſary*, *was 'lawful and juſt from that neceſſity*.

'Theſe general rules of obedience may, upon a '*real neceſſity*, admit a lawful *exception*; and ſuch 'a *neceſſary exception* we aſſert the revolution to 'be.

Right of reſiſtance how to be underſtood.

'Tis with this view of *neceſſity* only, *abſolute ne-'ceſſity* of preſerving our laws, liberties, and religion; 'tis with *this limitation* that we deſire to be 'underſtood, when any of us ſpeak of reſiſtance 'in general. The *neceſſity* of the reſiſtance at the

'revolution,

'revolution, was at that time obvious to every 'man.'

* * * * * *

I ſhall conclude theſe extracts with a reference to the Prince of Orange's declaration, in which he gives the nation the fulleſt aſſurance that in his enterpriſe he was far from the intention of introducing any change whatever in the fundamental law and conſtitution of the ſtate. He conſidered the object of his enterpriſe, not to be a precedent for further revolutions, but that it was the great end of his expedition to make ſuch revolutions, ſo far as human power and wiſdom could provide, unneceſſary.

Extract from the Prince of Orange's Declaration.

'*All magiſtrates, who have been* unjuſtly turned 'out, ſhall *forthwith reſume their former* em-'ployments, as well as all the boroughs of England 'ſhall return again to *their antient preſcriptions* '*and charters:* and more particularly, that *the* '*antient* charter of the great and famous city of 'London ſhall be again in force. And that the 'writs for the members of parliament ſhall be ad-'dreſſed to the *proper officers according to law* '*and cuſtom.*'——

'And for the doing of all other things, which 'the two houſes of parliament ſhall find neceſſary 'for the peace, honour, and ſafety of the nation, 'ſo that there may *be no danger of the nation's 'falling, at any time hereafter, under arbitrary 'government.*'

Extract from the Prince of Orange's additional Declaration.

'We are confident that no perſons can have '*ſuch hard thoughts of us*, as to imagine that we 'have any other deſign in this undertaking, than 'to procure a ſettlement of the *religion, and of the 'liberties and properties of the ſubjects, upon ſo 'ſure a foundation, that there may be no danger 'of the nation's relapſing into the like miſeries at 'any time hereafter.* And, as the forces that we 'have brought along with us are utterly diſpropor-'tioned to that wicked deſign of conquering the na-'tion, if we were capable of intending it; *ſo the 'great numbers of the principal nobility and gen-'try, that are men of eminent quality and eſtates, 'and perſons of known integrity and zeal, both for 'the religion and government of England, many of 'them alſo being diſtinguiſhed by their conſtant 'fidelity to the crown*, who do both accompany us 'in this expedition, and have earneſtly ſolicited us 'to it, will cover us from all ſuch malicious in-'ſinuations.'

Principal nobility and gentry well affected to the church and crown, ſecurity againſt the deſign of innovation.

In

In the ſpirit, and upon one occaſion in the words, * of this declaration, the ſtatutes paſſed in that reign made ſuch proviſions for preventing theſe dangers, that ſcarcely any thing ſhort of combination of king, lords, and commons, for the deſtruction of the liberties of the nation, can in any probability make us liable to ſimilar perils. In that dreadful, and, I hope, not to be looked-for caſe, any opinion of a right to make revolutions, grounded on this precedent, would be but a poor reſource.—Dreadful indeed would be our ſituation.

Theſe are the doctrines held by *the whigs of the revolution*, delivered with as much ſolemnity, and as authentically at leaſt, as any political dogmas were ever promulgated from the beginning of the world. If there be any difference between their tenets and thoſe of Mr. Burke it is, that the old whigs oppoſe themſelves ſtill more ſtrongly than he does againſt the doctrines which are now propagated with ſo much induſtry by thoſe who would be thought their ſucceſſors.

It will be ſaid perhaps, that the old whigs, in order to guard themſelves againſt popular odium, pretended to aſſert tenets contrary to thoſe which they ſecretly held. This, if true, would prove, what Mr. Burke has uniformly aſſerted, that the extravagant doctrines which he meant to expoſe,

* Declaration of Right.

were diſagreeable to the body of the people; who, though they perfectly abhor a deſpotick government, certainly approached more nearly to the love of mitigated monarchy, than to any thing which bears the appearance even of the beſt republick. But if theſe old whigs deceived the people, their conduct was unaccountable indeed. They expoſed their power, as every one converſant in hiſtory knows, to the greateſt peril, for the propagation of opinions which, on this hypotheſis, they did not hold. It is a new kind of martyrdom. This ſuppoſition does as little credit to their integrity as their wiſdom: it makes them at once hypocrites and fools. I think of thoſe great men very differently. I hold them to have been, what the world thought them, men of deep underſtanding, open ſincerity, and clear honour. However, be that matter as it may; what theſe old whigs pretended to be, Mr. Burke is. This is enough for him.

I do indeed admit, that though Mr. Burke has proved that his opinions were thoſe of the old whig party, ſolemnly declared by one houſe, in effect and ſubſtance by both houſes of parliament, this teſtimony ſtanding by itſelf will form no proper defence for his opinions, if he and the old whigs were both of them in the wrong. But it is his preſent concern, not to vindicate theſe old whigs, but to ſhew his agreement with them.—

He

He appeals to them as judges: he does not vindicate them as culprits. It is current that theſe old politicians knew little of the rights of men; that they loſt their way by groping about in the dark, and fumbling among rotten parchments and muſty records. Great lights they ſay are lately obtained in the world; and Mr. Burke inſtead of ſhrowding himſelf in exploded ignorance, ought to have taken advantage of the blaze of illumination which has been ſpread about him. It may be ſo. The enthuſiaſts of this time, it ſeems, like their predeceſſors in another faction of fanaticiſm, deal in lights.—Hudibras pleaſantly ſays of them, they

"*Have* lights, *where better eyes are blind,*
"*As pigs are ſaid to ſee the wind.*"

The author of the Reflections has *heard* a great deal concerning the modern lights; but he has not yet had the good fortune to *ſee* much of them. He has read more than he can juſtify to any thing but the ſpirit of curioſity, of the works of theſe illuminators of the world. He has learned nothing from the far greater number of them, than a full certainty of their ſhallowneſs, levity, pride, petulance, preſumption, and ignorance. Where the old authors whom he has read, and the old men whom he has converſed with, have left him in the dark, he is in the dark ſtill. If

others,

others, however, have obtained any of this extraordinary light, they will uſe it to guide them in their reſearches and their conduct. I have only to wiſh, that the nation may be as happy and as proſperous under the influence of the new light, as it has been in the ſober ſhade of the old obſcurity. As to the reſt, it will be difficult for the author of the Reflections to conform to the principles of the avowed leaders of the party, until they appear otherwiſe than negatively. All we can gather from them is this, that their principles are diametrically oppoſite to his. This is all that we know from authority. Their negative declaration obliges me to have recourſe to the books which contain poſitive doctrines. They are indeed, to thoſe Mr. Burke holds, diametrically oppoſite; and if it be true, (as the oracles of the party have ſaid, I hope haſtily) that their opinions differ ſo widely, it ſhould ſeem they are the moſt likely to form the creed of the modern whigs.

I have ſtated what were the avowed ſentiments of the old whigs, not in the way of argument, but narratively. It is but fair to ſet before the reader in the ſame ſimple manner, the ſentiments of the modern, to which they ſpare neither pains nor expence to make proſelytes. I chooſe them from the books upon which moſt of that induſtry and expenditure in circulation have been employed; I chooſe them not from thoſe who ſpeak with a politick

politick obſcurity; not from thoſe who only controvert the opinions of the old whigs, without advancing any of their own, but from thoſe who ſpeak plainly and affirmatively. The whig reader may make his choice between the two doctrines.

The doctrine then propagated by theſe ſocieties, which gentlemen think they ought to be very tender in diſcouraging, as nearly as poſſible in their own words, is as follows: that in Great Britain we are not only without a good conſtitution, but that we have "no conſtitution." That, "though "it is much talked about, no ſuch thing as a con-"ſtitution exiſts, or ever did exiſt; and conſe-"quently that *the people have a conſtitution yet* "*to form*; that ſince William the Conqueror, the "country has never yet *regenerated itſelf*, and is "therefore without a conſtitution. That where "it cannot be produced in a viſible form there is "none. That a conſtitution is a thing antecedent "to government; and that the conſtitution of a "country is not the act of its government, but of "a people conſtituting a government. That *every* "*thing* in the Engliſh government is the reverſe of "what it ought to be, and what it is ſaid to be in "England. That the right of war and peace re-"ſides in a metaphor ſhewn at the Tower, for "ſixpence or a ſhilling apiece.—That it ſignifies "not where the right reſides, whether in the "crown or in parliament. War is the common

"harveſt

" harveſt of thoſe who participate in the diviſion " and expenditure of publick money.' That the " portion of liberty enjoyed in England is juſt " enough to enſlave a country more productively " than by deſpotiſm."

So far as to the general ſtate of the Britiſh conſtitution.—As to our houſe of lords, the chief virtual repreſentative of our ariſtocracy, the great ground and pillar of ſecurity to the landed intereſt, and that main link by which it is connected with the law and the crown, theſe worthy ſocieties are pleaſed to tell us, that, " whether we " view ariſtocracy before, or behind, or ſideways, " or any way elſe, domeſtically or publickly, it is " ſtill a *monſter*. That ariſtocracy in France had " one feature leſs in its countenance than what it " has in ſome other countries; it did not com- " poſe a body of hereditary legiſlators. 'It was " not a corporation of ariſtocracy;"—for ſuch it ſeems that profound legiſlator M. de la Fayette deſcribes the houſe of peers. " That it is kept " up by family tyranny and injuſtice—that there " is an unnatural unfitneſs in ariſtocracy to be " legiſlators for a nation—that their ideas of diſtri- " butive juſtice are corrupted at the very ſource; " they begin life by trampling on all their younger " brothers and ſiſters, and relations of every kind, " and are taught and educated ſo to do.—That " the idea of an hereditary legiſlator is as abſurd

" as

" as an hereditary mathematician. That a body " holding themſelves unaccountable to any body, " ought to be truſted by no body—that it is con- " tinuing the uncivilized principles of govern- " ments founded in conqueſt, and the baſe idea of " man having a property in man, and governing " him by a perſonal right—that ariſtocracy has a " tendency to degenerate the human ſpecies," &c. &c.

As to our law of primogeniture, which with few and inconſiderable exceptions is the ſtanding law of all our landed inheritance, and which without queſtion has a tendency, and I think a moſt happy tendency, to preſerve a character of conſequence, weight, and prevalent influence over others in the whole body of the landed intereſt, they call loudly for its deſtruction. They do this for political reaſons that are very manifeſt. They have the confidence to ſay, " that it is a law againſt " every law of nature, and nature herſelf calls for " its deſtruction. Eſtabliſh family juſtice, and " ariſtocracy falls. By the ariſtocratical law of " primogeniture ſhip, in a family of ſix children, " five are expoſed. Ariſtocracy has never but *one* " child. The reſt are begotten to be devoured. " They are thrown to the cannibal for prey, and " the natural parent prepares the unnatural re- " paſt."

As to the houſe of commons, they treat it far worſe

worſe than the houſe of lords or the crown have been ever treated. Perhaps they thought they had a greater right to take this amicable freedom with thoſe of their own family. For many years it has been the perpetual theme of their invectives.—"Mockery, inſult, uſurpation," are amongſt the beſt names they beſtow upon it. They damn it in the maſs, by declaring "that it does not ariſe "out of the inherent rights of the people, as the "national aſſembly does in France, and whoſe "name deſignates its original."

Of the charters and corporations, to whoſe rights, a few years ago, theſe gentlemen were ſo tremblingly alive, they ſay, "that when the people "of England come to reflect upon them, they "will, like France, annihilate thoſe badges of op-"preſſion, thoſe traces of a conquered nation."

As to our monarchy, they had formerly been more tender of that branch of the conſtitution, and for a good reaſon. The laws had guarded againſt all ſeditious attacks upon it, with a greater degree of ſtrictneſs and ſeverity. The tone of theſe gentlemen is totally altered ſince the French revolution. They now declaim as vehemently againſt the monarchy, as on former occaſions they treacherouſly flattered and ſoothed it.

"When we ſurvey the wretched condition of "man under the monarchical and hereditary ſyſ-"tems of government, dragged from his home "by

" by one power, or driven by another, and im-
" poveriſhed by taxes more than by enemies, it
" becomes evident that thoſe ſyſtems are bad, and
" that a general revolution in the principle and
" conſtruction of governments is neceſſary.

" What is government more than the manage-
" ment of the affairs of a nation? It is not, and
" from its nature cannot be, the property of any
" particular man or family, but of the whole com-
" munity, at whoſe expence it is ſupported; and
" though by force or contrivance it has been
" uſurped into an inheritance, the uſurpation can-
" not alter the right of things. Sovereignty, as
" a matter of right, appertains to the nation only,
" and not to any individual; and a nation has at
" all times an inherent indefeaſible right to aboliſh
" any form of government it finds inconvenient,
" and eſtabliſh ſuch as accords with its intereſt,
" diſpoſition, and happineſs. The romantick and
" barbarous diſtinction of men into kings and
" ſubjects, though it may ſuit the condition of
" courtiers, cannot that of citizens; and is ex-
" ploded by the principle upon which govern-
" ments are now founded. Every citizen is a
" member of the ſovereignty, and, as ſuch, can
" acknowledge no perſonal ſubjection; and his
" obedience can be only to the laws."

Warmly

Warmly recommending to us the example of France, where they have deſtroyed monarchy, they ſay—

" Monarchical ſovereignty, the enemy of man-
" kind, and the ſource of miſery, is aboliſhed;
" and ſovereignty itſelf is reſtored to its natural
" and original place, the nation. Were this the
" caſe throughout Europe, the cauſe of wars
" would be taken away."

— — — — — —

" But, after all, what is this metaphor called a
" crown, or rather what is monarchy? Is it a
" thing, or it is a name, or is it a fraud? Is it
" 'a contrivance of human wiſdom,' or of hu-
" man craft, to obtain money from a nation under
" ſpecious pretences? Is it a thing neceſſary to a
" nation? If it is, in what does that neceſſity con-
" ſiſt, what ſervices does it perform, what is its
" buſineſs, and what are its merits? Doth the vir-
" tue conſiſt in the metaphor, or in the man?
" Doth the goldſmith that makes the crown make
" the virtue alſo? Doth it operate like Fortuna-
" tus's wiſhing cap, or Harlequin's wooden ſword?
" Doth it make a man a conjuror? In fine, what
" is it? It appears to be a ſomething going much
" out of faſhion, falling into ridicule, and rejected
" in ſome countries both as unneceſſary and ex-
" penſive. In America, it is conſidered as an

" abſurdity; and in France it has ſo far declined,
" that the goodneſs of the man, and the reſpect
" for his perſonal character, are the only things
" that preſerve the appearance of its exiſtence."

— — — — — —

" Mr. Burke talks about what he calls an here-
" ditary crown, as if it were ſome production of
" Nature; or as if, like Time, it had a power to
" operate, not only independently, but in ſpite
" of man; or as if it were a thing or a ſubject
" univerſally conſented to. Alas! it has none of
" thoſe properties, but is the reverſe of them all.
" It is a thing in imaginatiou, the propriety of
" which is more than doubted, and the legality of
" which in a few years will be denied."

— — — — — —

" If I aſk the farmer, the manufacturer, the
" merchant, the tradeſman, and down through
" all the occupations of life to the common la-
" bourer, what ſervice monarchy is to him? he
" can give me no anſwer. If I aſk him what mo-
" narchy is, he believes it is ſomething like a
" ſinecure."

— — — — — —

" The French conſtitution ſays, That the right
" of war and peace is in the nation. Where elſe

" ſhould it reſide, but in thoſe who are to pay the
" expence?

" In England, this right is ſaid to reſide in a
" *metaphor*, ſhewn at the Tower for ſixpence or
" a ſhilling a-piece: ſo are the lions; and it would
" be a ſtep nearer to reaſon to ſay it reſided in
" them, for any inanimate metaphor is no more
" than a hat or a cap. We can all ſee the abſurdity
" of worſhipping Aaron's molten calf, or Nebu-
" chadnezzar's golden image; but why do men
" continue to practiſe themſelves the abſurdities
" they deſpiſe in others?"

— — — — — —

The revolution and Hanover ſucceſſion had been objects of the higheſt veneration to the old whigs. They thought them not only proofs of the ſober and ſteady ſpirit of liberty which guided their anceſtors; but of their wiſdom and provident care of poſterity.—The modern whigs have quite other notions of theſe events and actions. They do not deny that Mr. Burke has given truly the words of the acts of parliament which ſecured the ſucceſſion, and the juſt ſenſe of them. They attack not him but the law.

" Mr. Burke (ſay they) has done ſome ſervice,
" not to his cauſe, but to his country, by bring-
" ing thoſe clauſes into publick view. They ſerve
" to demonſtrate how neceſſary it is at all times

" to

" to watch againſt the attempted encroachment
" of power, and to prevent its running to exceſs.
" It is ſomewhat extraordinary, that the offence
" for which James II. was expelled, that of ſetting
" up power by *aſſumption*, ſhould be re-acted, un-
" der another ſhape and form, by the parliament
" that expelled him. It ſhews that the rights of
" man were but imperfectly underſtood at the re-
" volution; for, certain it is, that the right which
" that parliament ſet up by *aſſumption* (for by de-
" legation it had it not, and could not have it, be-
" cauſe none could give it) over the perſons and
" freedom of poſterity for ever, was of the ſame
" tyrannical unfounded kind which James at-
" tempted to ſet up over the parliament and the
" nation, and for which he was expelled. The
" only difference is, (for in principle they differ
" not) that the one was an uſurper over the
" living, and the other over the unborn; and as
" the one has no better authority to ſtand upon
" than the other, both of them muſt be equally
" null and void, and of no effect."

— — — — — —

" As the eſtimation of all things is by compa-
" riſon, the revolution of 1688, however from cir-
" cumſtances it may have been exalted beyond its
" value, will find its level. It is already on the
" wane; eclipſed by the enlarging orb of reaſon,

" and the luminous revolutions of America and " France." In leſs than another century, it will " go, as well as Mr. Burke's labours, 'to the " family vault of all the Capulets.' '*Mankind* " *will then ſcarcely believe that a country calling* " *itſelf free,' would ſend to Holland for a man,* " *and clothe him with power, on purpoſe to put* " *themſelves in fear of him, and give him almoſt* " *a million ſterling a-year for leave to ſubmit* " *themſelves and their poſterity, like bond-men* " *and bond-women, for ever.*"

" Mr. Burke having ſaid that the king holds " his crown in contempt of the choice of the re- " volution ſociety, who individually or collec- " tively have not" (as moſt certainly they have not) " a vote for a king amongſt them," they take occaſion from thence to infer that the king who does not hold his crown by election, deſpiſes the people.

— — — — — —

" The king of England," ſays he, " holds *his* " crown (for it does not belong to the nation ac- " cording to Mr. Burke) in *contempt* of the choice " of the Revolution Society," &c.

— — — — — —

" As to who is king in England or elſewhere, " or whether there is any king at all, or whether " the people chooſe a Cherokee chief, or a Heſſian " huſſar

" huſſar for a king, it is not a matter that I " trouble myſelf about—be that to themſelves; " but with reſpect to the doctrine, ſo far as it " relates to the rights of men and nations, it is as " abominable as any thing ever uttered in the " moſt enſlaved country under heaven. Whether " it ſounds worſe to my ear, by not being accuſ- " tomed to hear ſuch deſpotiſm, than what it does " to the ear of another perſon, I am not ſo well a " judge of; but of its abominable principle I am " at no loſs to judge."

Theſe ſocieties of modern whigs puſh their inſolence as far as it can go. In order to prepare the minds of the people for treaſon and rebellion, they repreſent the king as tainted with principles of deſpotiſm, from the circumſtance of his having dominions in Germany. In direct defiance of the moſt notorious truth, they deſcribe his government there to be a deſpotiſm; whereas it is a free conſtitution, in which the ſtates of the electorate have their part in the government; and this privilege has never been infringed by the king, or, that I have heard of, by any of his predeceſſors. The conſtitution of the electoral dominions has indeed a double controul, both from the laws of the empire, and from the privileges of the country. Whatever rights the king enjoys as elector, have been always parentally exerciſed, and the calumnies of theſe ſcandalous ſocieties have not been authoriſed by a ſingle complaint of oppreſſion.

" When Mr. Burke ſays that 'his majeſty's
" heirs and ſucceſſors, each in their time and or-
" der, will come to the crown with the *ſame con-*
" *tempt* of their choice with which his majeſty has
" ſucceeded to that he wears,' it is ſaying too
" much even to the humbleſt individual in the
" country; part of whoſe daily labour goes to-
" wards making up the million ſterling a year,
" which the country gives the perſon it ſtyles a
" king. Government with inſolence, is deſpotiſm;
" but when contempt is added, it becomes worſe;
" and to pay for contempt, is the exceſs of ſlavery.
" This ſpecies of government comes from Ger-
" many; and reminds me of what one of the
" Brunſwick ſoldiers told me, who was taken pri-
" ſoner by the Americans in the late war: 'Ah!'
" ſaid he, 'America is a fine free country, it is
" worth the people's fighting for; I know the
" difference by knowing my own: in my country,
" *if the prince ſays, Eat ſtraw we eat ſtraw.*'
" God help that country, thought I, be it England,
" or elſewhere, whoſe liberties are to be protected
" by *German principles of government, and*
" *princes of Brunſwick!*"

— — — — — —

" It is ſomewhat curious to obſerve, that al-
" though the people of England have been in the
" habit of talking about kings, it is always a
" foreign

" foreign houſe of kings; hating foreigners, yet
" governed by them.—It is now the houſe of
" Brunſwick, one of the petty tribes of Ger-
" many."

— — — — — —

" If government be what Mr. Burke deſcribes
" it, ' a contrivance of human wiſdom,' I might
" aſk him, if wiſdom was at ſuch a low ebb in
" England, that it was become neceſſary to import
" it from Holland and from Hanover? But I will
" do the country the juſtice to ſay, that was not
" the caſe; and even if it was, it miſtook the
" cargo. The wiſdom of every country, when pro-
" perly exerted, is ſufficient for all its purpoſes; *and*
" *there could exiſt no more real occaſion in Eng-*
" *land to have ſent for a Dutch Stadtholder, or a*
" *German Elector, than* there was in America to
" have done a ſimilar thing. If a country does not
" underſtand its own affairs, how is a foreigner to
" underſtand them, who knows neither its laws, its
" manners, nor its language? If there exiſted a
" man ſo tranſcendently wiſe above all others, that
" his wiſdom was neceſſary to inſtruct a nation,
" ſome reaſon might be offered for monarchy;
" but when we caſt our eyes about a country, and
" obſerve how every part underſtands its own
" affairs; and when we look around the world,
" and ſee that of all men in it, the race of kings

" are the moſt inſignificant in capacity, our reaſon " cannot fail to aſk us—What are thoſe men kept " for?"*

— — — — — —

Theſe are the notions which, under the idea of whig principles, ſeveral perſons, and among them perſons of no mean mark, have aſſociated themſelves to propagate. I will not attempt in the ſmalleſt degree to refute them. This will probably be done (if ſuch writings ſhall be thought to deſerve any other than the refutation of criminal juſtice) by others, who may think with Mr. Burke, He has performed his part.

I do not wiſh to enter very much at large into the diſcuſſions which diverge and ramify in all ways from this productive ſubject. But there is one topick upon which I hope I ſhall be excuſed in going a little beyond my deſign. The factions, now ſo buſy amongſt us, in order to diveſt men of all love for their country, and to remove from their minds all duty with regard to the ſtate, endeavour to propagate an opinion, that the *people*, in forming their commonwealth, have by no means parted with their power over it. This is an impregnable citadel, to which theſe gentlemen retreat whenever they are puſhed by the battery of laws

* Vindication of the Rights of Man, recommended by the ſeveral ſocieties.

" and

and uſages, and poſitive conventions. Indeed it is ſuch and of ſo great force, that all they have done, in defending their outworks is ſo much time and labour thrown away. Diſcuſs any of their ſchemes —their anſwer is—It is the act of the *people*, and that is ſufficient. Are we to deny to a *majority* of the people the right of altering even the whole frame of their ſociety, if ſuch ſhould be their pleaſure? They may change it, ſay they, from a monarchy to a republick to-day, and to-morrow back again from a republick to a monarchy; and ſo backward and forward as often as they like. They are maſters of the commonwealth; becauſe in ſubſtance they are themſelves the commonwealth. The French revolution, ſay they, was the act of the majority of the people; and if the majority of any other people, the people of England for inſtance, wiſh to make the ſame change, they have the ſame right.

Juſt the ſame undoubtedly. That is, none at all. Neither the few nor the many have a right to act merely by their will, in any matter connected with duty, truſt, engagement, or obligation. The conſtitution of a country being once ſettled upon ſome compact, tacit or expreſſed, there is no power exiſting of force to alter it, without the breach of the covenant, or the conſent of all the parties. Such is the nature of a contract. And the votes of a majority of the people,

people, whatever their infamous flatterers may teach in order to corrupt their minds, cannot alter the moral any more than they can alter the phyſical eſſence of things. The people are not to be taught to think lightly of their engagements to their governors; elſe they teach governors to think lightly of their engagements towards them. In that kind of game in the end the people are ſure to be loſers. To flatter them into a contempt of faith, truth, and juſtice, is to ruin them; for in theſe virtues conſiſts their whole ſafety. To flatter any man, or any part of mankind, in any deſcription, by aſſerting, that in engagements he or they are free whilſt any other human creature is bound, is ultimately to veſt the rule of morality in the pleaſure of thoſe who ought to be rigidly ſubmitted to it; to ſubject the ſovereign reaſon of the world to the caprices of weak and giddy men.

But, as no one of us men can diſpenſe with publick or private faith, or with any other tie of moral obligation, ſo neither can any number of us. The number engaged in crimes, inſtead of turning them into laudable acts, only augments the quantity and intenſity of the guilt. I am well aware, that men love to hear of their power, but have an extreme diſreliſh to be told of their duty. This is of courſe; becauſe every duty is a limitation of ſome power. Indeed arbitrary power

is

is ſo much to the depraved taſte of the vulgar, of the vulgar of every deſcription, that almoſt all the diſſenſions which lacerate the commonwealth, are not concerning the manner in which it is to be exerciſed, but concerning the hands in which it is to be placed. Somewhere they are reſolved to have it. Whether they deſire it to be veſted in the many or the few, depends with moſt men upon the chance which they imagine they themſelves may have of partaking in the exerciſe of that arbitrary ſway, in the one mode or in the other.

It is not neceſſary to teach men to thirſt after power. But it is very expedient that, by moral inſtruction, they ſhould be taught, and by their civil conſtitutions they ſhould be compelled, to put many reſtrictions upon the immoderate exerciſe of it, and the inordinate deſire. The beſt method of obtaining theſe two great points forms the important, but at the ſame time the difficult problem to the true ſtateſman. He thinks of the place in which political power is to be lodged, with no otheir attention, than as it may render the more or the leſs practicable, its ſalutary reſtraint, and its prudent direction. For this reaſon no legiſlator, at any period of the world, has willingly placed the ſeat of active power in the hands of the multitude: becauſe there it admits of no controul, no regulation, no ſteady direction whatſoever.

whatſoever. The people are the natural controul on authority; but to exerciſe and to controul together is contradictory and impoſſible.

As the exorbitant exerciſe of power cannot, under popular ſway, be effectually reſtrained, the other great object of political arrangement, the means of abating an exceſſive deſire of it, is in ſuch a ſtate ſtill worſe provided for. The democratick commonwealth is the foodful nurſe of ambition. Under the other forms it meets with many reſtraints. Whenever, in ſtates which have had a democratick baſis, the legiſlators have endeavoured to put reſtraints upon ambition, their methods were as violent, as in the end they were ineffectual; as violent indeed as any the moſt jealous deſpotiſm could invent. The oſtraciſm could not very long ſave itſelf, and much leſs the ſtate which it was meant to guard, from the attempts of ambition, one of the natural inbred incurable diſtempers of a powerful democracy.

But to return from this ſhort digreſſion, which however is not wholly foreign to the queſtion of the effect of the will of the majority upon the form or the exiſtence of their ſociety. I cannot too often recommend it to the ſerious conſideration of all men, who think civil ſociety to be within the province of moral juriſdiction, that if we owe to it any duty, it is not ſubject to our will. Duties are not voluntary. Duty and will are even contradictory

contradictory terms. Now though civil ſociety might be at firſt a voluntary act (which in many caſes it undoubtedly was) its continuance is under a permanent ſtanding covenant, co-exiſting with the ſociety; and it attaches upon every individual of that ſociety, without any formal act of his own. This is warranted by the general practice, ariſing out of the general ſenſe of mankind. Men without their choice derive benefits from that aſſociation; without their choice they are ſubjected to duties in conſequence of theſe benefits; and without their choice they enter into a virtual obligation as binding as any that is actual. Look through the whole of life and the whole ſyſtem of duties. Much the ſtrongeſt moral obligations are ſuch as were never the reſults of our option. I allow, that if no ſupreme ruler exiſts, wiſe to form, and potent to enforce, the moral law, there is no ſanction to any contract, virtual or even actual, againſt the will of prevalent power. On that hypotheſis, let any ſet of men be ſtrong enough to ſet their duties at defiance, and they ceaſe to be duties any longer. We have but this one appeal againſt irreſiſtible power—

Si genus humanum et mortalia temnitis arma,
At ſperate Deos memores fandi atque nefandi.

Taking it for granted that I do not write to the diſciples of the Pariſian philoſophy, I may aſſume, that

that the awful author of our being is the author of our place in the order of exiſtence; and that having diſpoſed and marſhalled us by a divine tactick, not according to our will, but according to his, he has, in and by that diſpoſition, virtually ſubjected us to act the part which belongs to the place aſſigned us. We have obligations to mankind at large, which are not in conſequence of any ſpecial voluntary pact. They ariſe from the relation of man to man, and the relation of man to God, which relations are not matters of choice. On the contrary, the force of all the pacts which we enter into with any particular perſon or number of perſons amongſt mankind, depends upon thoſe prior obligations. In ſome caſes the ſubordinate relations are voluntary, in others they are neceſſary—but the duties are all compulſive. When we marry, the choice is voluntary, but the duties are not matter of choice. They are dictated by the nature of the ſituation. Dark and inſcrutable are the ways by which we come into the world. The inſtincts which give riſe to this myſterious proceſs of nature are not of our making. But out of phyſical cauſes, unknown to us, perhaps unknowable, ariſe moral duties, which, as we are able perfectly to comprehend, we are bound indiſpenſably to perform. Parents may not be conſenting to their moral relation; but conſenting or not, they are bound to a long train of burthenſome duties

duties towards thoſe with whom they have never made a convention of any ſort. Children are not conſenting to their relation, but their relation, without their actual conſent, binds them to its duties; or rather it implies their conſent, becauſe the preſumed conſent of every rational creature is in uniſon with the prediſpoſed order of things. Men come in that manner into a community with the ſocial ſtate of their parents, endowed with all the benefits, loaded with all the duties of their ſituation. If the ſocial ties and liganents, ſpun out of thoſe phyſical relations which are the elements of the commonwealth, in moſt caſes begin, and always continue, independently of our will, ſo without any ſtipulation on our own part, are we bound by that relation called our country, which comprehends (as it has been well ſaid) "all the charities "of all."* Nor are we left without powerful inſtincts to make this duty as dear and grateful to us, as it is awful and coercive. Our country is not a thing of mere phyſical locality. It conſiſts, in a great meaſure, in the antient order into which we are born. We may have the ſame geographical ſituation, but another country; as we may have the ſame country in another ſoil. The place that determines our duty to our country is a ſocial, civil relation.

* Omnes omnium charitates patria una complectitur. Cic.

Theſe

Theſe are the opinions of the author whoſe cauſe I defend. I lay them down not to enforce them upon others by diſputation, but as an account of his proceedings. On them he acts; and from them he is convinced that neither he, nor any man, or number of men, have a right (except what neceſſity, which is out of and above all rule, rather impoſes than beſtows) to free themſelves from that primary engagement into which every man born into a community as much contracts by his being born into it, as he contracts an obligation to certain parents by his having been derived from their bodies. The place of every man determines his duty. If you aſk, *Quem te Deus eſſe juſſit?* You will be anſwered when you reſolve this other queſtion, *Humana qua parte locatus es in re?* *

I admit, indeed, that in morals, as in all things elſe, difficulties will ſometimes occur. Duties will ſometimes croſs one another. Then queſtions will ariſe, which of them is to be placed in ſubordinations;

* A few lines in Perſius contain a good ſummary of all the objects of moral inveſtigation, and hint the reſult of our inquiry; There human will has no place.

Quid *ſumus?* et quidnam *victuri gignimur?* ordo
Quis *datus?* et *metæ* quis mollis flexus et unde?
Quis modus argento? Quid *fas optare?* Quid aſper
Utile nummus habet? *Patriæ chariſque propinquis*
Quantum elargiri *debet?*—Quera te Deus eſſe
Juſſit?—et humana qua parte *locatus es* in re?

which

which of them may be entirely ſuperſeded? Theſe doubts give riſe to that part of moral ſcience called *caſuiſtry;* which, though neceſſary to be well ſtudied by thoſe who would become expert in that learning, who aim at becoming what, I think, Cicero ſomewhere calls, *artifices officiorum;* it requires a very ſolid and diſcriminating judgment, great modeſty and caution, and much ſobriety of mind in the handling; elſe there is a danger that it may totally ſubvert thoſe offices which it is its object only to methodize and reconcile. Duties, at their extreme bounds, are drawn very fine, ſo as to become almoſt evaneſcent. In that ſtate, ſome ſhade of doubt will always reſt on theſe queſtions, when they are purſued with great ſubtilty. But the very habit of ſtating theſe extreme caſes is not very laudable or ſafe: becauſe, in general, it is not right to turn our duties into doubts. They are impoſed to govern our conduct, not to exerciſe our ingenuity; and therefore, our opinions about them ought not to be in a ſtate of fluctuation, but ſteady, ſure, and reſolved.

Amongſt theſe nice, and therefore dangerous, points of caſuiſtry may be reckoned the queſtion ſo much agitated in the preſent hour—Whether, after the people have diſcharged themſelves of their original power by an habitual delegation, no occaſion can poſſibly occur which may juſtify the reſumption of it? This queſtion, in this latitude, is

very hard to affirm or deny: but I am ſatisfied that no occaſion can juſtify ſuch a reſumption, which would not equally authoriſe a diſpenſation with any other moral duty, perhaps with all of them together. However, if in general it be not eaſy to determine concerning the lawfulneſs of ſuch devious proceedings, which muſt be ever on the edge of crimes, it is far from difficult to foreſee the perilous conſequences of the reſuſcitation of ſuch a power in the people. The practical conſequences of any political tenet go a great way in deciding upon its value. Political problems do not primarily concern truth or falſehood. They relate to good or evil. What in the reſult is likely to produce evil, is politically falſe: that which is productive of good, politically true.

Believing it therefore a queſtion at leaſt arduous in the theory, and in the practice very critical, it would become us to aſcertain, as well as we can, what form it is that our incantations are about to call up from darkneſs and the ſleep of ages. When the ſupreme authority of the people is in queſtion, before we attempt to extend or to confine it, we ought to fix in our minds, with ſome degree of diſtinctneſs, an idea of what it is we mean, when we ſay the PEOPLE.

In a ſtate of *rude* nature there is no ſuch thing as a people. A number of men in themſelves have no collective capacity. The idea of a people is the

idea

idea of a corporation. It is wholly artificial; and made like all other legal fictions by common agreement. What the particular nature of that agreement was, is collected from the form into which the particular ſociety has been caſt. Any other is not *their* covenant. When men, therefore, break up the original compact or agreement which gives its corporate form and capacity to a ſtate, they are no longer a people; they have no longer a corporate exiſtence; they have no longer a legal coactive force to bind within, nor a claim to be recogniſed abroad. They are a number of vague looſe individuals, and nothing more. With them all is to begin again. Alas! they little know how many a weary ſtep is to be taken before they can form themſelves into a maſs, which has a true politick perſonality.

We hear much from men, who have not acquired their hardineſs of aſſertion from the profundity of their thinking, about the omnipotence of a *majority*, in ſuch a diſſolution of an antient ſociety as hath taken place in France. But amongſt men ſo diſbanded, there can be no ſuch thing as majority or minority; or power in any one perſon to bind another. The power of acting by a majority, which the gentlemen theoriſts ſeem to aſſume ſo readily, after they have violated the contract out of which it has ariſen, (if at all it exiſted) muſt be grounded on two aſſumptions; firſt, that

of an incorporation produced by unanimity; and ſecondly, an unanimous agreement, that the act of a mere majority (ſay of one) ſhall paſs with them and with others as the act of the whole.

We are ſo little affected by things which are habitual, that we conſider this idea of the deciſion of a *majority* as if it were a law of our original nature: But ſuch conſtructive whole, reſiding in a part only, is one of the moſt violent fictions of poſitive law, that ever has been or can be made on the principles of artificial incorporation. Out of civil ſociety nature knows nothing of it; nor are men, even when arranged according to civil order, otherwiſe than by very long training, brought at all to ſubmit to it. The mind is brought far more eaſily to acquieſce in the proceedings of one man, or a few, who act under a general procuration for the ſtate, than in the vote of a victorious majority in councils in which every man has his ſhare in the deliberation. For there the beaten party are exaſperated and ſoured by the previous contention, and mortified by the concluſive defeat. This mode of deciſion, where wills may be ſo nearly equal, where, according to circumſtances, the ſmaller number may be the ſtronger force, and where apparent reaſon may be all upon one ſide, and on the other little elſe than impetuous appetite; all this muſt be the reſult of a very particular and ſpecial convention, confirmed afterwards by long habits of obedience,

obedience, by a ſort of diſcipline in ſociety, and by a ſtrong hand, veſted with ſtationary permanent power, to enforce this ſort of conſtructive general will. What organ it is that ſhall declare the corporate mind is ſo much a matter of poſitive arrangement, that ſeveral ſtates, for the validity of ſeveral of their acts, have required a proportion of voices much greater than that of a mere majority. Theſe proportions are ſo entirely governed by convention, that in ſome caſes the minority decides. The laws in many countries to *condemn* require more than a mere majority; leſs than an equal number to *acquit*. In our judicial trials we require unanimity either to condemn or to abſolve. In ſome incorporations one man ſpeaks for the whole; in others, a few. Until the other day, in the conſtitution of Poland, unanimity was required to give validity to any act of their great national council or diet. This approaches much more nearly to rude nature than the inſtitutions of any other country. Such, indeed, every commonwealth muſt be, without a poſitive law to recogniſe in a certain number the will of the entire body.

If men diſſolve their antient incorporation, in order to regenerate their community, in that ſtate of things each man has a right, if he pleaſes, to remain an individual. Any number of individuals, who can agree upon it, have an undoubted right to form themſelves into a ſtate apart and wholly

independent. If any of theſe is forced into the fellowſhip of another, this is conqueſt and not compact. On every principle, which ſuppoſes ſociety to be in virtue of a free covenant, this compulſive incorporation muſt be null and void.

As a people can have no right to a corporate capacity without univerſal conſent, ſo neither have they a right to hold excluſively any lands in the name and title of a corporation. On the ſcheme of the preſent rulers in our neighbouring country, regenerated as they are, they have no more right to the territory called France than I have. I have a right to pitch my tent in any unoccupied place I can find for it; and I may apply to my own maintenance any part of their unoccupied ſoil. I may purchaſe the houſe or vineyard of any individual proprietor who refuſes his conſent (and moſt proprietors have, as far as they dared, refuſed it) to the new incorporation. I ſtand in his independent place. Who are theſe inſolent men calling themſelves the French nation, that would monopolize this fair domain of nature? Is it becauſe they ſpeak a certain jargon? Is it their mode of chattering, to me unintelligible, that forms their title to my land? Who are they who claim by preſcription and deſcent from certain gangs of banditti called Franks, and Burgundians, and Viſigoths, of whom I may have never heard, and ninety-nine out of an hundred of themſelves certainly never have heard;

whilſt at the very time they tell me, that preſcription and long poſſeſſion form no title to property? Who are they that preſume to aſſert that the land which I purchaſed of the individual, a natural perſon, and not a fiction of ſtate, belongs to them, who in the very capacity in which they make their claim can exiſt only as an imaginary being, and in virtue of the very preſcription which they reject and diſown? This mode of arguing might be puſhed into all the detail, ſo as to leave no ſort of doubt, that on their principles, and on the ſort of footing on which they have thought proper to place themſelves, the crowd of men, on the one ſide of the channel, who have the impudence to call themſelves a people, can never be the lawful excluſive poſſeſſors of the ſoil. By what they call reaſoning without prejudice, they leave not one ſtone upon another in the fabrick of human ſociety. They ſubvert all the authority which they hold, as well as all that which they have deſtroyed.

As in the abſtract, it is perfectly clear, that, out of a ſtate of civil ſociety, majority and minority are relations which can have no exiſtence; and that in civil ſociety, its own ſpecifick conventions in each corporation, determine what it is that conſtitutes the people, ſo as to make their act the ſignification of the general will; to come to particulars, it is eqnally clear, that neither in France nor in England has the original, or any ſubſequent

compact of the ſtate, expreſſed or implied, conſtituted *a majority of men, told by the head*, to be the acting people of their ſeveral communities. And I ſee as little of policy or utility, as there is of right, in laying down a principle that a majority of men told by the head are to be conſidered as the people, and that as ſuch their will is to be law. What policy can there be found in arrangements made in defiance of every political principle? To enable men to act with the weight and character of a people, and to anſwer the ends for which they are incorporated into that capacity, we muſt ſuppoſe them (by means immediate or conſequential) to be in that ſtate of habitual ſocial diſcipline, in which the wiſer, the more expert, and the more opulent conduct, and by conducting enlighten and protect the weaker, the leſs knowing, and the leſs provided with the goods of fortune. When the multitude are not under this diſcipline, they can ſcarcely be ſaid to be in civil ſociety. Give once a certain conſtitution of things, which produces a variety of conditions and circumſtances in a ſtate, and there is in nature and reaſon a principle which, for their own benefit, poſtpones, not the intereſt but the judgment, of thoſe who are *numero plures*, to thoſe who are *virtute et honore majores*. Numbers in a ſtate (ſuppoſing, which is not the caſe in France, that a ſtate does exiſt) are always of conſideration —but they are not the whole conſideration. It is

in

in things more ſerious than a play, that it may be truly ſaid *ſatis eſt equitem mihi plaudere.*

A true natural ariſtocracy is not a ſeparate intereſt in the ſtate, or ſeparable from it. It is an eſſential integrant part of any large body rightly conſtituted. It is formed out of a claſs of legitimate preſumptions, which taken as generalities, muſt be admited for actual truths. To be bred in a place of eſtimation; To ſee nothing low and ſordid from one's infancy; To be taught to reſpect one's ſelf; To be habituated to the cenſorial inſpection of the publick eye; To look early to publick opinion; To ſtand upon ſuch elevated ground as to be enabled to take a large view of the wide-ſpread and infinitely diverſified combinations of men and affairs in a large ſociety; To have leiſure to read, to reflect, to converſe; To be enabled to draw the court and attention of the wiſe and learned where ever they are to be found;—To be habituated in armies to command and to obey; To be taught to deſpiſe danger in the purſuit of honour and duty; To be formed to the greateſt degree of vigilance, foreſight, and circumſpection, in a ſtate of things in which no fault is committed with impunity, and the ſlighteſt miſtakes draw on the moſt ruinous conſequences—To be led to a guarded and regulated conduct, from a ſenſe that you are conſidered as an inſtructor of your fellow-citizens in their higheſt concerns, and that you act as a reconciler

reconciler between God and man—To be employed as an adminiſtrator of law and juſtice, and to be thereby amongſt the firſt benefactors to mankind—To be a profeſſor of high ſcience, or of liberal and ingenuous art—To be amongſt rich traders, who from their ſucceſs are preſumed to have ſharp and vigorous underſtandings, and to poſſeſs the virtues of diligence, order, conſtancy, and regularity, and to have cultivated an habitual regard to commutative juſtice—Theſe are the circumſtances of men, that form what I ſhould call a *natural* ariſtocracy, without which there is no nation.

The ſtate of civil ſociety, which neceſſarily generates this ariſtocracy, is a ſtate of nature; and much more truly ſo than a ſavage and incoherent mode of life. For man is by nature reaſonable; and he is never perfectly in his natural ſtate, but when he is placed where reaſon may be beſt cultivated, and moſt predominates. Art is man's nature. We are as much, at leaſt, in a ſtate of nature in formed manhood, as in immature and helpleſs infancy. Men qualified in the manner I have juſt deſcribed, form in nature, as ſhe operates in the common modification of ſociety, the leading, guiding, and governing part. It is the ſoul to the body, without which the man does not exiſt. To give therefore no more importance, in the ſocial order, to ſuch deſcriptions of men,

than

than that of ſo many units, is a horrible uſurpation.

When great multitudes act together, under that diſcipline of nature, I recogniſe the PEOPLE. I acknowledge ſomething that perhaps equals, and ought always to guide the ſovereignty of convention. In all things the voice of this grand chorus of national harmony ought to have a mighty and deciſive influence. But when you diſturb this harmony; when you break up this beautiful order, this array of truth and nature, as well as of habit and prejudice; when you ſeparate the common ſort of men from their proper chieftains ſo as to form them into an adverſe army, I no longer know that venerable object called the people in ſuch a diſbanded race of deſerters and vagabonds. For a while they may be terrible indeed; but in ſuch a manner as wild beaſts are terrible. The mind owes to them no ſort of ſubmiſſion. They are, as they have always been reputed, rebels. They may lawfully be fought with, and brought under, whenever an advantage offers. Thoſe who attempt by outrage and violence to deprive men of any advantage which they hold under the laws, and to deſtroy the natural order of life, proclaim war againſt them.

We have read in hiſtory of that furious inſurrection of the common people in France called the *Jacquerie*; for this is not the firſt time that the people

people have been enlightened into treaſon, murder, and rapine. Its object was to extirpate the gentry. The *Captal de Buche*, a famous ſoldier of thoſe days, diſhonoured the name of a gentleman and of a man by taking, for their cruelties, a cruel vengeance on theſe deluded wretches: it was, however, his right and his duty to make war upon them, and afterwards, in moderation, to bring them to puniſhment for their rebellion; though in the ſenſe of the French revolution, and of ſome of our clubs, they were the *people;* and were truly ſo, if you will call by that appellation *any majority of men told by the head.*

At a time not very remote from the ſame period (for theſe humours never have affected one of the nations without ſome influence on the other) happened ſeveral riſings of the lower commons in England. Theſe inſurgents were certainly the majority of the inhabitants of the counties in which they reſided; and Cade, Ket, and Straw, at the head of their national guards, and fomented by certain traitors of high rank, did no more than exert, according to the doctrines of ours and the Pariſian ſocieties, the ſovereign power inherent in the majority.

We call the time of thoſe events a dark age. Indeed we are too indulgent to our own proficiency. The Abbé John Ball underſtood the rights of man as well as the Abbé Gregoire. That reverend

reverend patriarch of ſedition, and prototype of our modern preachers, was of opinion with the national aſſembly, that all the evils which have fallen upon men had been cauſed by an ignorance of their "having been born and continued equal as "to their rights." Had the populace been able to repeat that profound maxim all would have gone perfectly well with them. No tyranny, no vexation, no oppreſſion, no care, no ſorrow, could have exiſted in the world. This would have cured them like a charm for the tooth-ach. But the loweſt wretches, in their moſt ignorant ſtate, were able at all times to talk ſuch ſtuff; and yet at all times have they ſuffered many evils and many oppreſſions, both before and ſince the republication by the national aſſembly of this ſpell of healing potency and virtue. The enlightened Dr. Ball, when he wiſhed to rekindle the lights and fires of his audience on this point, choſe for the text the following couplet:

When Adam delved and Eve ſpan,
Who was then the gentleman?

Of this ſapient maxim, however, I do not give him for the inventor. It ſeems to have been handed down by tradition, and had certainly become proverbial; but whether then compoſed, or only applied, thus much muſt be admitted, that

in

in learning, ſenſe, energy, and comprehenſiveneſs, it is fully equal to all the modern diſſertations on the equality of mankind; and it has one advantage over them,—that it is in rhyme.*

There

* It is no ſmall loſs to the world, that the whole of this enlightened and philoſophick ſermon, preached to *two hundred thouſand* national guards aſſembled at Blackheath (a number probably equal to the ſublime and majeſtick *Federation* of the 14th of July 1790, in the *Champs de Mars*) is not preſerved. A ſhort abſtract is, however, to be found in Walſingham. I have added it here for the edification of the modern whigs, who may poſſibly except this precious little fragment from their general contempt of antient learning.

Ut ſuâ doctrinâ plures inficeret ad le Blackheth (ubi ducenta millia hominum communium fuêre ſimul congregata) hujuſcemodi ſermonem eſt exorſus.

Whan Adam dalſe, and Evé ſpan,
Who was than a gentleman?

Continuanſque ſermonem inceptum nitebatur per verba proverbii quod pro themate ſumpſerat, introducere & probare, *ab initio omnes pares creatos á naturâ*, ſervitutem per injuſtam oppreſſionem nequam hominum introductam contra Dei voluntatem, quia ſi Deo placuiſſet ſervos creâſſe, utique in principio mundi conſtituiſſet, quis ſervus, quiſve dominus futurus fuiſſet. Conſiderarent igitur jam tempus à Deo datum eis, in quo (depoſito ſervitutis jugo diutius) poſſent ſi vellent, libertate diu concupitâ gaudere. Quapropter monuit ut eſſent viri cordati, & amore boni patrisfamilias excolentis agrum ſuum & extirpantis ac reſecantis noxia gramina quæ fruges ſolent opprimere, & ipſi in præſenti facere feſtinarent; primò *majores regni dominos occidendo*; *deindè juridicos, juſticiarios & juratores patriæ perimendo*; poſtremò quoſcunque ſcirent *in poſterum communitati nocivos* tollerent

There is no doubt, but that this great teacher of the rights of man decorated his diſcourſe on this valuable text, with lemmas, theorems, ſcholia, corollaries,

tollerent de terrâ ſuâ: ſic demum & *pacem* ſibimet *parerent* & *ſecuritatem* in futurum, *ſi ſublatis majoribus eſſet inter eos æqua libertas, eadem nobilitas, par dignatas, ſimiliſque potẽſtas.*

Here is diſplayed at once the whole of the grand arcanum pretended to be found out by the national aſſembly, for ſecuring future happineſs, peace, and tranquillity. There ſeems however to be ſome doubt whether this venerable protomartyr of philoſophy was inclined to carry his own declaration of the rights of men more rigidly into practice than the national aſſembly themſelves. He was, like them, only preaching licentiouſneſs to the populace to obtain power for himſelf, if we may believe what is ſubjoined by the hiſtorian.

Cumque hæc & *plura alia deliramenta* [think of this old fool's calling all the wiſe maxims of the French academy *deliramenta*] prædicâſſet, commune vulgus cum tanto favore proſequitur, ut *acclamarent eum archiepiſcopum futurum, & regni cancellarium.* Whether he would have taken theſe ſituations under theſe names, or would have changed the whole nomenclature of the ſtate and church, to be underſtood in the ſenſe of the revolution, is not ſo certain. It is probable that he would have changed the names and kept the ſubſtance of power.

We find too, that they had in thoſe days their *ſocicty for conſtitutional information*, of which the reverend John Ball was a conſpicuous member, ſometimes under his own name, ſometimes under the feigned name of John Schep. Beſides him it conſiſted (as Knyghton tells us) of perſons who went by the real or fictitious names of Jack Mylner, Tom Baker, Jack Straw, Jack Trewman, Jack Carter, and probably of many more. Some of the choiceſt flowers of the publications, charitably

corollaries, and all the apparatus of ſcience, which was furniſhed in as great plenty and perfection out of the dogmatick, and polemick magazines, the

charitably written and circulated by them gratis, are upon record in Walſingham and Knyghton: and I am inclined to prefer the pithy and ſententious brevity of theſe *bulletins* of antient rebellion, before the looſe and confuſed prolixity of the modern advertiſements of conſtitutional information. They contain more good morality and leſs bad politicks; they had much more foundation in real oppreſſion; and they have the recommendation of being much better adapted to the capacities of thoſe for whoſe inſtruction they were intended. Whatever laudable pains the teachers of the preſent day appear to take, I cannot compliment them ſo far as to allow, that they have ſucceeded in writing down to the level of their pupils, *the members of the ſovereign*, with half the abillity of Jack Carter and the reverend John Ball.—That my readers may judge for themſelves, I ſhall give them one or two ſpecimens.

The firſt is an addreſs from the reverend John Ball, under his *nom de guerre* of John Schep. I know not againſt what particular "guyle in borough" the writer means to caution the people; it may have been only a general cry againſt "*rotten* "*boroughs*," which it was thought convenient then as now to make the firſt pretext, and place at the head of the liſt of grievances.

JOHN SCHEP.

John Schep ſometime Seint Mary Prieſt of Yorke, and now of Colcheſter, greeteth well John Nameleſſe, & John the Miller, & John Carter, and *biddeth them that they beware of guyle in borough*, and ſtand together in God's name; and biddeth Piers Ploweman goe to his werk, and chaſtiſe well *Hob the robber* [probably

the old horſe-armoury of the ſchoolmen, among whom the Rev. Dr. Ball was bred, as they can be ſupplied from the new arſenal at Hackney. It was,

[probably the king] and take with you John Trewman, and all his fellows and no moe.

John the Miller hath yground ſmal, ſmall, ſmall:
The King's ſonne of Heven ſhal pay for all.
Beware or ye be woe,
Know your frende fro your foe.
Have enough and ſay hoe:
And do wel and better, and flee ſinne,
And ſeeke peace and holde you therein;

& ſo biddeth John Trewman, & all his fellowes.

The reader has perceived, from the laſt lines of this curious ſtate paper, how well the national aſſembly has copied its union of the profeſſion of univerſal peace, with the practice of murder and confuſion, and the blaſt of the trumpet of ſedition in all nations. He will, in the following conſtitutional paper, obſerve how well, in their enigmatical ſtyle, like the aſſembly and their abettors, the old philoſophers, proſcribe all hereditary diſtinction, and beſtow it only on virtue and wiſdom, according to their eſtimation of both. Yet theſe people are ſuppoſed never to have heard of "the rights of man!"

JACK MYLNER.

Jakke Mylner aſketh help to turn his mylne aright.

He hath grounden ſmal, ſmal,
The King's Sone of Heven he ſhall pay for alle.

was, no doubt, diſpoſed with all the adjutancy of definition and diviſion, in which (I ſpeak it with ſubmiſſion) the old marſhals were as able as the modern martinets. Neither can we deny, that the philoſophick auditory, when they had once obtained this knowledge, could never return to their former ignorance; or after ſo inſtructive a lecture be

Loke thy mylne go a ryyt with the four ſayles, and the poſt ſtande in ſteadfaſtneſſe.

With ryyt & with myyt,
With ſkill & with wylle,
Lat myyt help ryyt,
And ſkyl go before wille,
And ryyt before myght,
Than goth our mylne aryght,
And if myght go before ryght,
And wylle before ſkylle;
Than is our mylne nys-a-dyght.

JACK CARTER underſtood perfectly the doctrine of looking to the *end*, with an indifference to the *means*, and the probability of much good ariſing from great evil.

Jakke Carter prayes yowe alle that ye make a gode *ende* of that ye have begunnen, and doth wele and ay bettur & bettur, for at the even then heryth the day. *For if the ende be wele than is alle wele.* Lat Peres the plow man my brother dwelle at home and dyght us corne, & I will go with yowe & helpe, that I may, to dyghte your mete and youre drynke, that ye none fayle. Lokke that Hobbe robbyoure be wele chaſtyſed for leſyng of your grace: for ye have gret nede to take God with yowe in all your dedes. For now is tyme to be war.

be in the ſame ſtate of mind as if they had never heard it.* But theſe poor people, who were not to be envied for their knowledge, but pitied for their deluſion, were not reaſoned (that was impoſſible) but beaten out of their lights. With their teacher they were delivered over to the lawyers; who wrote in their blood the ſtatutes of the land, as harſhly, and in the ſame ſort of ink, as they and their teachers had written the rights of man.

Our doctors of the day are not ſo fond of quoting the opinions of this antient ſage as they are of imitating his conduct; Firſt, becauſe it might appear, that they are not as great inventors as they would be thought; and next, becauſe unfortunately for his fame, he was not ſucceſsful. It is a remark, liable to as few exceptions as any generality can be, that they who applaud proſperous folly, and adore triumphant guilt, have never been known to ſuccour or even to pity human weakneſs or offence when they become ſubject to human viciſſitude, and meet with puniſhment inſtead of obtaining power. Abating for their want of ſenſibility to the ſufferings of their aſſociates, they are not ſo much in the wrong; for madneſs and wickedneſs are things foul and deformed in themſelves; and ſtand in need of all

* See the wiſe remark on this ſubject, in the Defence of Rights of Man, circulated by the ſocieties.

the coverings and trappings of fortune to recommend them to the multitude. Nothing can be more loathſome in their naked nature.

Aberrations like theſe, whether antient or modern, unſucceſsful or proſperous, are things of paſſage. They furniſh no argument for ſuppoſing *a multitude told by the head to be the people.* Such a multitude can have no ſort of title to alter the ſeat of power in the ſociety, in which it ever ought to be the obedient and not the ruling or preſiding part. What power may belong to the whole maſs, in which maſs, the natural *ariſtocracy*, or what by convention is appointed to repreſent and ſtrengthen it, acts in its proper place, with its proper weight, and without being ſubjected to violence, is a deeper queſtion. But in that caſe, and with that concurrence, I ſhould have much doubt whether any raſh or deſperate changes in the ſtate, ſuch as we have ſeen in France, could ever be effected.

I have ſaid, that in all political queſtions the conſequences of any aſſumed rights are of great moment in deciding upon their validity. In this point of view let us a little ſcrutinize the effects of a right in the mere majority of the inhabitants of any country of ſuperſeding and altering their goverment *at pleaſure.*

The ſum total of every people is compoſed of its units. Every individual muſt have a right to originate

originate what afterwards is to become the act of the majority. Whatever he may lawfully originate he may lawfully endeavour to accompliſh. He has a right therefore in his own particular to break the ties and engagements which bind him to the country in which he lives; and he has a right to make as many converts to his opinions, and to obtain as many aſſociates in his deſigns, as he can procure: For how can you know the diſpoſitions of the majority to deſtroy their government, but by tampering with ſome part of the body? You muſt begin by a ſecret conſpiracy, that you may end with a national confederation. The mere pleaſure of the beginner muſt be the ſole guide; ſince the mere pleaſure of others muſt be the ſole ultimate ſanction, as well as the ſole actuating principle in every part of the progreſs. Thus, arbitrary will (the laſt corruption of ruling power) ſtep by ſtep, poiſons the heart of every citizen. If the undertaker fails, he has the misfortune of a rebel, but not the guilt. By ſuch doctrines, all love to our country, all pious veneration and attachment to its laws and cuſtoms, are obliterated from our minds; and nothing can reſult from this opinion, when grown into a principle, and animated by diſcontent, ambition, or enthuſiaſm, but a ſeries of conſpiracies and ſeditions, ſometimes ruinous to their authors, always noxious to the ſtate. No ſenſe of duty can

prevent any man from being a leader or a follower in ſuch enterpriſes. Nothing reſtrains the tempter; nothing guards the tempted. Nor is the new ſtate, fabricated by ſuch arts, ſafer than the old. What can prevent the mere will of any perſon, who hopes to unite the wills of others to his own, from an attempt wholly to overturn it? It wants nothing but a diſpoſition to trouble the eſtabliſhed order, to give a title to the enterpriſe.

When you combine this principle of the right to change a fixed and tolerable conſtitution of things at pleaſure, with the theory and practice of the French aſſembly, the political, civil, and moral irregularity are if poſſible aggravated. The aſſembly have found another road, and a far more commodious, to the deſtruction of an old government, and the legitimate formation of a new one, than through the previous will of the majority of what they call the people. Get, ſay they, the poſſeſſion of power by any means you can into your hands; and then a ſubſequent conſent (what they call an *addreſs of adheſion*) makes your authority as much the act of the people as if they had conferred upon you originally that kind and degree of power, which, without their permiſſion, you had ſeized upon. This is to give a direct ſanction to fraud, hypocriſy, perjury, and the breach of the moſt ſacred truſts that can exiſt between

between man and man. What can ſound with ſuch horrid diſcordance in the moral ear, as this poſition, That a delegate with limited powers may break his ſworn engagements to his conſtituent, aſſume an authority, never committed to him, to alter all things at his pleaſure; and then, if he can perſuade a large number of men to flatter him in the power he has uſurped, that he is abſolved in his own conſcience, and ought to ſtand acquitted in the eyes of mankind? On this ſcheme the maker of the experiment muſt begin with a determined perjury. That point is certain. He muſt take his chance for the expiatory addreſſes. This is to make the ſucceſs of villainy the ſtandard of innocence.

Without drawing on, therefore, very ſhocking conſequences, neither by previous conſent, nor by ſubſequent ratification of a *mere reckoned majority*, can any ſet of men attempt to diſſolve the ſtate at their pleaſure. To apply this to our preſent ſubject. When the ſeveral orders, in their ſeveral baillages, had met in the year 1789, ſuch of them, I mean, as had met peaceably and conſtitutionally, to chooſe and to inſtruct their repreſentatives, ſo organized, and ſo acting, (becauſe they were organized and were acting according to the conventions which made them a people) they were the *people* of France. They had a legal and a natural capacity to be conſidered as that people. But

obſerve, whilſt they were in this ſtate, that is, whilſt they were a people, in no one of their inſtructions did they charge or even hint at any of thoſe things, which have drawn upon the uſurping aſſembly, and their adherents, the deteſtation of the rational and thinking part of mankind. I will venture to affirm, without the leaſt apprehenſion of being contradicted by any perſon who knows the then ſtate of France, that if any one of the changes were propoſed, which form the fundamental parts of their revolution, and compoſe its moſt diſtinguiſhing acts, it would not have had one vote in twenty thouſand in any order. Their inſtructions purported the direct contrary to all thoſe famous proceedings, which are defended as the acts of the people. Had ſuch proceedings been expected, the great probability is, that the people would then have riſen, as to a man, to prevent them. The whole organization of the aſſembly was altered, the whole frame of the kingdom was changed, before theſe things could be done. It is long to tell, by what evil arts of the conſpirators, and by what extreme weakneſs and want of ſteadineſs in the lawful government, this equal uſurpation on the rights of the prince and people, having firſt cheated, and then offered violence to both, has been able to triumph, and to employ with ſucceſs the forged ſignature of an impriſoned ſovereign, and the

ſpurious

ſpurious voice of dictated addreſſes, to a ſubſequent ratification of things that had never received any previous ſanction, general or particular, expreſſed or implied, from the nation (in whatever ſenſe that word is taken) or from any part of it.

After the weighty and reſpectable part of the people had been murdered, or driven by the menaces of murder from their houſes, or were diſperſed in exile into every country in Europe; after the ſoldiery had been debauched from their officers; after property had loſt its weight and conſideration, along with its ſecurity; after voluntary clubs and aſſociations of factious and unprincipled men were ſubſtituted in the place of all the legal corporations of the kingdom arbitrarily diſſolved; after freedom had been baniſhed from * thoſe popular meetings, whoſe ſole recommendation is freedom—After it had come to that paſs, that no diſſent dared to appear in any of them, but at the certain price of life; after even diſſent had been anticipated, and aſſaſſination became as quick as ſuſpicion; ſuch pretended ratification by addreſſes could be no act of what any lover of the people would chooſe to call by their name. It is that voice which every ſucceſsful uſurpation, as well as this before us, may eaſily procure, even without making (as theſe tyrants

* The primary aſſemblies.

have

have made) donatives from the ſpoil of one part of the citizens to corrupt the other.

The pretended *rights of man*, which have made this havock, cannot be the rights of the people. For to be a people, and to have theſe rights, are things incompatible. The one ſuppoſes the preſence, the other the abſence of a ſtate of civil ſociety. The very foundation of the French commonwealth is falſe and ſelf-deſtructive; nor can its principles be adopted in any country, without the certainty of bringing it to the very ſame condition in which France is found. Attempts are made to introduce them into every nation in Europe. This nation, as poſſeſſing the greateſt influence, they wiſh moſt to corrupt, as by that means they are aſſured the contagion muſt become general. I hope, therefore, I ſhall be excuſed, if I endeavour to ſhew, as ſhortly as the matter will admit, the danger of giving to them, either avowedly or tacitly, the ſmalleſt countenance.

There are times and circumſtances, in which not to ſpeak out is at leaſt to connive. Many think it enough for them, that the principles propagated by theſe clubs and ſocieties, enemies to their country and its conſtitution, are not owned by the *modern whigs in parliament*, who are ſo warm in condemnation of Mr. Burke and his book, and of courſe of all the principles of the antient conſtitutional whigs of this kingdom. Certainly they

are

are not owned. But are they condemned with the ſame zeal as Mr. Burke and his book are condemned? Are they condemned at all? Are they rejected or diſcountenanced in any way whatſoever? Is any man who would fairly examine into the demeanour and principles of thoſe ſocieties, and that too very moderately, and in the way rather of admonition than of puniſhment, is ſuch a man even decently treated? Is he not reproached, as if, in condemning ſuch principles, he had belied the conduct of his whole life, ſuggeſting that his life had been governed by principles ſimilar to thoſe which he now reprobates? The French ſyſtem is in the mean time, by many active agents out of doors, rapturouſly praiſed; the Britiſh conſtitution is coldly tolerated. But theſe conſtitutions are different, both in the foundation and in the whole ſuperſtructure; and it is plain, that you cannot build up the one but on the ruins of the other. After all, if the French be a ſuperiour ſyſtem of liberty, why ſhould we not adopt it? To what end are our praiſes? Is excellence held out to us only that we ſhould not copy after it? And what is there in the manners of the people, or in the climate of France, which renders that ſpecies of republick fitted for them, and unſuitable to us? A ſtrong and marked difference between the two nations ought to be ſhewn, before we can admit a conſtant affected panegyrick, a ſtanding annual

annual commemoration, to be without any tendency to an example.

But the leaders of party will not go the length of the doctrines taught by the ſeditious clubs. I am ſure they do not mean to do ſo. God forbid! Perhaps even thoſe who are directly carrying on the work of this pernicious foreign faction, do not all of them intend to produce all the miſchiefs which muſt inevitably follow from their having any ſucceſs in their proceedings. As to leaders in parties, nothing is more common than to ſee them blindly led. The world is governed by go-betweens. Theſe go-betweens influence the perſons with whom they carry on the intercourſe, by ſtating their own ſenſe to each of them as the ſenſe of the other; and thus they reciprocally maſter both ſides. It is firſt buzzed about the ears of leaders, "that their friends without doors are very eager "for ſome meaſure, or very warm about ſome "opinion—that you muſt not be too rigid with "them. They are uſeful perſons, and zealous in "the cauſe. They may be a little wrong; but the "ſpirit of liberty muſt not be damped; and by the "influence you obtain from ſome degree of con-"currence with them at preſent, you may be en-"abled to ſet them right hereafter."

Thus the leaders are at firſt drawn to a connivance with ſentiments and proceedings, often totally different from their ſerious and deliberate

notions.

notions. But their acquieſcence anſwers every purpoſe.

With no better than ſuch powers, the go-betweens aſſume a new repreſentative character. What at beſt was but an acquieſcence, is magnified into an authority, and thence into a deſire on the part of the leaders; and it is carried down as ſuch to the ſubordinate members of parties. By this artifice they in their turn are led into meaſures which at firſt, perhaps, few of them wiſhed at all, or at leaſt did not deſire vehemently or ſyſtematically.

There is in all parties, between the principal leaders in parliament, and the loweſt followers out of doors, a middle ſort of men; a ſort of equeſtrian order, who, by the ſpirit of that middle ſituation, are the fitteſt for preventing things from running to exceſs. But indeciſion, though a vice of a totally different character, is the natural accomplice of violence. The irreſolution and timidity of thoſe who compoſe this middle order, often prevents the effect of their controlling ſituation. The fear of differing with the authority of leaders on the one hand, and contradicting the deſires of the multitude on the other, induces them to give a careleſs and paſſive aſſent to meaſures in which they never were conſulted: and thus things proceed, by a ſort of activity of inertneſs, until whole bodies, leaders, middle men, and followers, are all hurried,

hurried, with every appearance, and with many of the effects, of unanimity, into ſchemes of politicks, in the ſubſtance of which no two of them were ever fully agreed, and the origin and authors of which, in this circular mode of communication, none of them find it poſſible to trace. In my experience I have ſeen much of this in affairs, which, though trifling in compariſon to the preſent, were yet of ſome importance to parties; and I have known them ſuffer by it. The ſober part give their ſanction, at firſt through inattention and levity; at laſt they give it through neceſſity. A violent ſpirit is raiſed, which the preſiding minds, after a time, find it impracticable to ſtop at their pleaſure, to controul, to regulate, or even to direct.

This ſhews, in my opinion, how very quick and awakened all men ought to be, who are looked up to by the publick, and who deſerve that confidence, to prevent a ſurpriſe on their opinions, when dogmas are ſpread, and projects purſued, by which the foundations of ſociety may be affected. Before they liſten even to moderate alterations in the government of their country, they ought to take care that principles are not propagated for that purpoſe, which are too big for their object. Doctrines limited in their preſent application, and wide in their general principles, are never meant to be confined to what they at firſt pretend. If I

were

were to form a prognoſtick of the effect of the preſent machinations on the people, from their ſenſe of any grievance they ſuffer under this conſtitution, my mind would be at eaſe. But there is a wide difference between the multitude, when they act againſt their government, from a ſenſe of grievance, or from zeal for ſome opinions. When men are thoroughly poſſeſſed with that zeal, it is difficult to calculate its force. It is certain, that its power is by no means in exact proportion to its reaſonableneſs. It muſt always have been diſcoverable by perſons of reflection, but it is now obvious to the world, that a theory concerning government may become as much a cauſe of fanataciſm as a *dogma* in religion. There is a boundary to men's paſſions when they act from feeling; none when they are under the influence of imagination. Remove a grievance, and, when men act from feeling, you go a great way towards quieting a commotion. But the good or bad conduct of a government, the protection men have enjoyed, or the oppreſſion they have ſuffered under it, are of no ſort of moment, when a faction proceeding upon ſpeculative grounds, is thoroughly heated againſt its form. When a man is, from ſyſtem, furious againſt monarchy or epiſcopacy, the good conduct of the monarch or the biſhop has no other effect than further to irritate the adverſary. He is provoked at it as furniſhing a plea for preſerving

the

the thing which he wiſhes to deſtroy. His mind will be heated as much by the ſight of a ſceptre, a mace, or a verge, as if he had been daily bruiſed and wounded by theſe ſymbols of authority. Mere ſpectacles, mere names, will become ſufficient cauſes to ſtimulate the people to war and tumult.

Some gentlemen are not terrified by the facility with which government has been overturned in France. The people of France they ſay, had nothing to loſe in the deſtruction of a bad conſtitution; but, though not the beſt poſſible, we have ſtill a good ſtake in ours, which will hinder us from deſperate riſks. Is this any ſecurity at all againſt thoſe who ſeem to perſuade themſelves, and who labour to perſuade others, that our conſtitution is an uſurpation in its origin, unwiſe in its contrivance, miſchievous in its effects, contrary to the rights of man, and in all its parts a perfect nuiſance? What motive has any rational man, who thinks in that manner, to ſpill his blood, or even to riſk a ſhilling of his fortune, or to waſte a moment of his leiſure, to preſerve it? If he has any duty relative to it, his duty is to deſtroy it. A conſtitution on ſufferance is a conſtitution condemned. Sentence is already paſſed upon it. The execution is only delayed. On the principles of theſe gentlemen it neither has, nor ought to have, any ſecurity. So far as regards them, it is left

naked,

naked, without friends, partiſans, aſſertors, or protectors.

Let us examine into the value of this ſecurity upon the principles of thoſe who are more ſober; of thoſe who think, indeed, the French conſtitution better, or at leaſt as good, as the Britiſh, without going to all the lengths of the warmer politicians in reprobating their own. Their ſecurity amounts in reality to nothing more than this;—that the difference between their republican ſyſtem and the Britiſh limited monarchy is not worth a civil war. This opinion, I admit, will prevent people not very enterpriſing in their nature, from an active undertaking againſt the Britiſh conſtitution. But it is the pooreſt defenſive principle that ever was infuſed into the mind of man againſt the attempts of thoſe who will enterpriſe. It will tend totally to remove from their minds that very terrour of a civil war which is held out as our ſole ſecurity. They who think ſo well of the French conſtitution, certainly will not be the perſons to carry on a war to prevent their obtaining a great benefit, or at worſt a fair exchange. They will not go to battle in favour of a cauſe in which their defeat might be more advantageous to the publick than their victory. They muſt at leaſt tacitly abet thoſe who endeavour to make converts to a ſound opinion; they muſt diſcountenance thoſe who would oppoſe its propagation. In proportion as by theſe means

the enterprising party is strengthened, the dread of a struggle is lessened. See what an encouragement this is to the enemies of the constitution! A few assassinations, and a very great destruction of property, we know they consider as no real obstacles in the way of a grand political change. And they will hope, that here, if antimonarchical opinions gain ground, as they have done in France, they may, as in France, accomplish a revolution without a war.

They who think so well of the French constitution cannot be seriously alarmed by any progress made by its partisans. Provisions for security are not to be received from those who think that there is no danger. No! there is no plan of security to be listened to but from those who entertain the same fears with ourselves; from those who think that the thing to be secured is a great blessing; and the thing against which we would secure it a great mischief. Every person of a different opinion must be careless about security.

I believe the author of the Reflections, whether he fears the designs of that set of people with reason or not, cannot prevail on himself to despise them. He cannot despise them for their numbers, which, though small, compared with the sound part of the community, are not inconsiderable: he cannot look with contempt on their influence, their activity, or the kind of talents and tempers

which

which they poſſeſs, exactly calculated for the work they have in hand, and the minds they chiefly apply to. Do we not ſee their moſt conſiderable and accredited miniſters, and ſeveral of their party of weight and importance, active in ſpreading miſchievous opinions, in giving ſanction to ſeditious writings, in promoting ſeditious anniverſaries? and what part of their deſcription has diſowned them or their proceedings? When men, circumſtanced as theſe are, publickly declare ſuch admiration of a foreign conſtitution, and ſuch contempt of our own, it would be, in the author of the Reflections, thinking as he does of the French conſtitution, infamouſly to cheat the reſt of the nation to their ruin, to ſay there is no danger.

In eſtimating danger, we are obliged to take into our calculation the character and diſpoſition of the enemy into whoſe hands we may chance to fall. The genius of this faction is eaſily diſcerned by obſerving with what a very different eye they have viewed the late foreign revolutions. Two have paſſed before them. That of France and that of Poland. The ſtate of Poland was ſuch, that there could ſcarcely exiſt two opinions, but that a reformation of its conſtitution, even at ſome expence of blood, might be ſeen without much diſapprobation. No confuſion could be feared in ſuch an enterpriſe; becauſe the eſtabliſhment to be reformed was itſelf a ſtate of confuſion. A king without

authority; nobles without union or ſubordination; a people without arts, induſtry, commerce, or liberty; no order within, no defence without; no effective publick force, but a foreign force, which entered a naked country at will, and diſpoſed of every thing at pleaſure. Here was a ſtate of things which ſeemed to invite, and might perhaps juſtify bold enterpriſe and deſperate experiment. But in what manner was this chaos brought into order? The means were as ſtriking to the imagination, as ſatisfactory to the reaſon, and ſoothing to the moral ſentiments. In contemplating that change, humanity has every thing to rejoice and to glory in; nothing to be aſhamed of, nothing to ſuffer. So far as it has gone, it probably is the moſt pure and defecated publick good which ever has been conferred on mankind. We have ſeen anarchy and ſervitude at once removed; a throne ſtrengthened for the protection of the people, without trenching on their liberties; all foreign cabal baniſhed, by changing the crown from elective to hereditary; and what was a matter of pleaſing wonder, we have ſeen a reigning king, from an heroick love to his country, exerting himſelf with all the toil, the dexterity, the management, the intrigue, in favour of a family of ſtrangers, with which ambitious men labour for the aggrandizement of their own. Ten millions of men in a way of being freed gradually, and therefore ſafely to themſelves

and the ſtate, not from civil or political chains, which, bad as they are, only fetter the mind, but from ſubſtantial perſonal bondage. Inhabitants of cities, before without privileges, placed in the conſideration which belongs to that improved and connecting ſituation of ſocial life. One of the moſt proud, numerous, and fierce bodies of nobility and gentry ever known in the world, arranged only in the foremoſt rank of free and generous citizens. Not one man incurred loſs, or ſuffered degradation. All, from the king to the day-labourer, were improved in their condition. Every thing was kept in its place and order; but in that place and order every thing was bettered. To add to this happy wonder (this unheard-of conjunction of wiſdom and fortune) not one drop of blood was ſpilled; no treachery; no outrage; no ſyſtem of ſlander more cruel than the ſword; no ſtudied inſults on religion, morals, or manners; no ſpoil; no confiſcation; no citizen beggared; none impriſoned; none exiled: the whole was effected with a policy, a diſcretion, an unanimity and ſecrecy, ſuch as have never been before known on any occaſion; but ſuch wonderful conduct was reſerved for this glorious conſpiracy in favour of the true and genuine rights and intereſts of men. Happy people, if they know how to proceed as they have begun! Happy prince, worthy to begin with ſplendour, or

to close with glory, a race of patriots and of kings; and to leave

A name, which ev'ry wind to heav'n would bear,
Which men to speak, and angels joy to hear.

To finish all—this great good, as in the instant it is, contains in it the seeds of all further improvement; and may be considered as in a regular progress, because founded on similar principles, towards the stable excellence of a British constitution.

Here was a matter for congratulation and for festive remembrance through ages. Here moralists and divines might indeed relax in their temperance to exhilarate their humanity. But mark the character of our faction. All their enthusiasm is kept for the French revolution. They cannot pretend that France had stood so much in need of a change as Poland. They cannot pretend that Poland has not obtained a better system of liberty or of government than it enjoyed before. They cannot assert, that the Polish revolution cost more dearly than that of France to the interests and feelings of multitudes of men. But the cold and subordinate light in which they look upon the one, and the pains they take to preach up the other of these revolutions, leave us no choice in fixing on their motives,

motives. Both revolutions profeſs liberty as their object; but in obtaining this object the one proceeds from anarchy to order; the other from order to anarchy. The firſt ſecures its liberty by eſtabliſhing its throne; the other builds its freedom on the ſubverſion of its monarchy. In the one, their means are unſtained by crimes, and their ſettlement favours morality. In the other, vice and confuſion are in the very eſſence of their purſuit, and of their enjoyment. The circumſtances in which theſe two events differ, muſt cauſe the difference we make in their comparative eſtimation. Theſe turn the ſcale with the ſocieties in favour of France. *Ferrum eſt quod amant.* The frauds, the violences, the ſacrileges, the havock and ruin of families, the diſperſion and exile of the pride and flower of a great country, the diſorder, the confuſion, the anarchy, the violation of property, the cruel murders, the inhuman confiſcations, and in the end the inſolent domination of bloody, ferocious, and ſenſeleſs clubs—Theſe are the things which they love and admire. What men admire and love, they would ſurely act. Let us ſee what is done in France; and then let us undervalue any the ſlighteſt danger of falling into the hands of ſuch a mercileſs and ſavage faction!

'But the leaders of the factious ſocieties are too 'wild to ſucceed in this their undertaking.' I hope

ſo. But ſuppoſing them wild and abſurd, is there no danger but from wiſe and reflecting men? Perhaps the greateſt miſchiefs that have happened in the world, have happened from perſons as wild as thoſe we think the wildeſt. In truth, they are the fitteſt beginners of all great changes. Why encourage men in a miſchievous proceeding, becauſe their abſurdity may diſappoint their malice? 'But noticing them may give them conſequence.' Certainly. But they are noticed; and they are noticed, not with reproof, but with that kind of countenance which is given by an *apparent* concurrence (not a *real* one, I am convinced) of a great party, in the praiſes of the object which they hold out to imitation.

But I hear a language ſtill more extraordinary, and indeed of ſuch a nature as muſt ſuppoſe, or leave, us at their mercy. It is this—'You know 'their promptitude in writing, and their diligence 'in caballing; to write, ſpeak, or act againſt them, 'will only ſtimulate them to new efforts.'—This way of conſidering the principle of their conduct pays but a poor compliment to theſe gentlemen. They pretend that their doctrines are infinitely beneficial to mankind; but it ſeems they would keep them to themſelves, if they were not greatly provoked. They are benevolent from ſpite. Their oracles are like thoſe of *Proteus* (whom ſome people think

think they reſemble in many particulars) who never would give his reſponſes unleſs you uſed him as ill as poſſible. Theſe cats, it ſeems, would not give out their electrical light without having their backs well rubbed. But this is not to do them perfect juſtice. They are ſufficiently communicative. Had they been quiet, the propriety of any agitation of topicks on the origin and primary rights of government, in oppoſition to their private ſentiments, might poſſibly be doubted. But, as it is notorious, that they were proceeding as faſt, and as far, as time and circumſtances would admit, both in their diſcuſſions and cabals—as it is not to be denied, that they had opened a correſpondence with a foreign faction, the moſt wicked the world ever ſaw, and eſtabliſhed anniverſaries to commemorate the moſt monſtrous, cruel, and perfidious of all the proceedings of that faction—the queſtion is, whether their conduct was to be regarded in ſilence, leſt our interference ſhould render them outrageous? Then let them deal as they pleaſe with the conſtitution. Let the lady be paſſive, leſt the raviſher ſhould be driven to force. Reſiſtance will only increaſe his deſires. Yes, truly, if the reſiſtance be feigned and feeble. But they who are wedded to the conſtitution will not act the part of wittols. They will drive ſuch ſeducers from the houſe on the firſt appearance of their love-letters and offered aſſignations. But if

the

the author of the Reflections, though a vigilant, was not a diſcreet guardian of the conſtitution, let them who have the ſame regard to it, ſhew themſelves as vigilant and more ſkilful in repelling the attacks of ſeduction or violence. Their freedom from jealouſy is equivocal, and may ariſe as well from indifference to the object, as from confidence in her virtue.

On their principle, it is the reſiſtance, and not the aſſault, which produces the danger. I admit, indeed, that if we eſtimated the danger by the value of the writings, it would be little worthy of our attention: contemptible theſe writings are in every ſenſe. But they are not the cauſe, they are the diſguſting ſymptoms, of a frightful diſtemper. They are not otherwiſe of conſequence than as they ſhew the evil habit of the bodies from whence they come. In that light the meaneſt of them is a ſerious thing. If however I ſhould under-rate them; and if the truth is, that they are not the reſult, but the cauſe of the diſorders I ſpeak of, ſurely thoſe who circulate operative poiſons, and give, to whatever force they have by their nature, the further operation of their authority and adoption, are to be cenſured, watched, and, if poſſible, repreſſed.

At what diſtance the direct danger from ſuch factions may be, it is not eaſy to fix. An adaptation of circumſtances to deſigns and principles

is

is neceſſary. But theſe cannot be wanting for any long time in the ordinary courſe of ſublunary affairs. Great diſcontents frequently ariſe in the beſt conſtituted governments, from cauſes which no human wiſdom can foreſee, and no human power can prevent. They occur at uncertain periods, but at periods which are not commonly far aſunder. Governments of all kinds are adminiſtered only by men; and great miſtakes, tending to inflame theſe diſcontents, may concur. The indeciſion of thoſe who happen to rule at the critical time, their ſupine neglect, or their precipitate and ill-judged attention, may aggravate the publick misfortunes. In ſuch a ſtate of things, the principles, now only ſown, will ſhoot out and vegetate in full luxuriance. In ſuch circumſtances the minds of the people become ſore and ulcerated. They are put out of humour with all publick men, and all publick parties; they are fatigued with their diſſenſions; they are irritated at their coalitions; they are made eaſily to believe, (what much pains are taken to make them believe) that all oppoſitions are factious, and all courtiers baſe and ſervile. From their diſguſt at men, they are ſoon led to quarrel with their frame of government, which they preſume gives nouriſhment to the vices, real or ſuppoſed, of thoſe who adminiſter in it. Miſtaking malignity for ſagacity, they are ſoon led to caſt off all hope from a good adminiſtration

adminiſtration of affairs, and come to think that all reformation depends, not on a change of actors, but upon an alteration in the machinery. Then will be felt the full effect of encouraging doctrines which tend to make the citizens deſpiſe their conſtitution. Then will be felt the plenitude of the miſchief of teaching the people to believe, that all antient inſtitutions are the reſults of ignorance; and that all preſcriptive government is in its nature uſurpation. Then will be felt, in all its energy, the danger of encouraging a ſpirit of litigation in perſons of that immature and imperfect ſtate of knowledge which ſerves to render them ſuſceptible of doubts, but incapable of their ſolution. Then will be felt, in all its aggravation, the pernicious conſequence of deſtroying all docility in the minds of thoſe who are not formed for finding their own way in the labyrinths of political theory, and are made to reject the clue, and to diſdain the guide. Then will be felt, and too late will be acknowledged, the ruin which follows the disjoining of religion from the ſtate; the ſeparation of morality from policy; and the giving conſcience no concern and no coactive or coercive force in the moſt material of all the ſocial ties, the principle of our obligations to government.

I know too, that beſides this vain, contradictory, and ſelf-deſtructive ſecurity, which ſome men derive from the habitual attachment of the people

people to this conſtitution, whilſt they ſuffer it with a ſort of ſportive acquieſcence to be brought into contempt before their faces, they have other grounds for removing all apprehenſion from their minds. They are of opinion, that there are too many men of great hereditary eſtates and influence in the kingdom, to ſuffer the eſtabliſhment of the levelling ſyſtem which has taken place in France. This is very true, if in order to guide the power, which now attends their property, theſe men poſſeſs the wiſdom which is involved in early fear. But if through a ſupine ſecurity, to which ſuch fortunes are peculiarly liable, they neglect the uſe of their influence in the ſeaſon of their power, on the firſt derangement of ſociety, the nerves of their ſtrength will be cut. Their eſtates, inſtead of being the means of their ſecurity, will become the very cauſes of their danger. Inſtead of beſtowing influence they will excite rapacity. They will be looked to as a prey.

Such will be the impotent condition of thoſe men of great hereditary eſtates, who indeed diſlike the deſigns that are carried on, but whoſe diſlike is rather that of ſpectators, than of parties that may be concerned in the cataſtrophe of the piece. But riches do not in all caſes ſecure even an inert and paſſive reſiſtance. There are always, in that deſcription, men whoſe fortunes, when their minds are once vitiated by paſſion or by evil principle,

principle, are by no means a ſecurity from their actually taking their part againſt the publick tranquillity. We ſee to what low and deſpicable paſſions of all kinds many men in that claſs are ready to ſacrifice the patrimonial eſtates, which might be perpetuated in their families with ſplendour, and with the fame of hereditary benefactors to mankind from generation to generation. Do we not ſee how lightly people treat their fortunes when under the influence of the paſſion of gaming? The game of ambition or reſentment will be played by many of the rich and great, as deſperately, and with as much blindneſs to the conſequences, as any other game. Was he a man of no rank or fortune, who firſt ſet on foot the diſturbances which have ruined France? Paſſion blinded him to the conſequences, ſo far as they concerned himſelf; and as to the conſequences with regard to others, they were no part of his conſideration; nor ever will be with thoſe who bear any reſemblance to that virtuous patriot and lover of the rights of man.

There is alſo a time of inſecurity, when intereſts of all ſorts become objects of ſpeculation. Then it is, that their very attachment to wealth and importance will induce ſeveral perſons of opulence to liſt themſelves, and even to take a lead with the party which they think moſt likely to prevail, in order to obtain to themſelves conſideration in

ſome

ſome new order or diſorder of things. They may be led to act in this manner, that they may ſecure ſome portion of their own property; and perhaps to become partakers of the ſpoil of their own order. Thoſe who ſpeculate on change, always make a great number among people of rank and fortune, as well as amongſt the low and the indigent.

What ſecurity againſt all this?—All human ſecurities are liable to uncertainty. But if any thing bids fair for the prevention of ſo great a calamity, it muſt conſiſt in the uſe of the ordinary means of juſt influence in ſociety, whilſt thoſe means continue unimpaired. The publick judgment ought to receive a proper direction. All weighty men may have their ſhare in ſo good a work. As yet, notwithſtanding the ſtrutting and lying independence of a braggart philoſophy, nature maintains her rights, and great names have great prevalence. Two ſuch men as Mr. Pitt and Mr. Fox, adding to their authority in a point in which they concur, even by their diſunion in every thing elſe, might frown theſe wicked opinions out of the kingdom. But if the influence of either of them, or the influence of men like them, ſhould, againſt their ſerious intentions, be otherwiſe perverted, they may countenance opinions which (as I have ſaid before, and could wiſh over and over again to preſs) they may in vain attempt to controul.

In

In their theory, theſe doctrines admit no limit, no qualification whatſoever. No man can ſay how far he will go, who joins with thoſe who are avowedly going to the utmoſt extremities. What ſecurity is there for ſtopping ſhort at all in theſe wild conceits? Why, neither more nor leſs than this—that the moral ſentiments of ſome few amongſt them do put ſome check on their ſavage theories. But let us take care. The moral ſentiments, ſo nearly connected with early prejudice as to be almoſt one and the ſame thing, will aſſuredly not live long under a diſcipline, which has for its baſis the deſtruction of all prejudices, and the making the mind proof againſt all dread of conſequences flowing from the pretended truths that are taught by their philoſophy.

In this ſchool the moral ſentiments muſt grow weaker and weaker every day. The more cautious of theſe teachers, in laying down their maxims, draw as much of the concluſion as ſuits, not with their premiſes, but with their policy. They truſt the reſt to the ſagacity of their pupils. Others, and theſe are the moſt vaunted for their ſpirit, not only lay down the ſame premiſes, but boldly draw the concluſions to the deſtruction of our whole conſtitution in church and ſtate. But are theſe concluſions truly drawn? Yes, moſt certainly. Their principles are wild and wicked. But let juſtice be done even to phrenzy and villainy. Theſe teachers

teachers are perfectly ſyſtematick. No man who aſſumes their grounds can tolerate the Britiſh conſtitution in church or ſtate. Theſe teachers profeſs to ſcorn all mediocrity; to engage for perfection; to proceed by the ſimpleſt and ſhorteſt courſe. They build their politicks, not on convenience but on truth; and they profeſs to conduct men to certain happineſs by the aſſertion of their undoubted rights. With them there is no compromiſe. All other governments are uſurpations, which juſtify and even demand reſiſtance.

Their principles always go to the extreme. They who go with the principles of the antient whigs, which are thoſe contained in Mr. Burke's book, never can go too far. They may indeed ſtop ſhort of ſome hazardous and ambiguous excellence, which they will be taught to poſtpone to any reaſonable degree of good they may actually poſſeſs. The opinions maintained in that book never can lead to an extreme, becauſe their foundation is laid in an oppoſition to extremes. The foundation of government is there laid, not in imaginary rights of men, (which at beſt is a confuſion of judicial with civil principles) but in political convenience, and in human nature; either as that nature is univerſal, or as it is modified by local habits and ſocial aptitudes. The foundation of government (thoſe who have read that book will recollect) is laid in a proviſion for our wants, and in a conformity to our

our duties; it is to purvey for the one; it is to enforce the other. Theſe doctrines do of themſelves gravitate to a middle point, or to ſome point near a middle. They ſuppoſe indeed a certain portion of liberty to be eſſential to all good government; but they infer that this liberty is to be blended into the government; to harmonize with its forms and its rules; and to be made ſubordinate to its end. Thoſe who are not with that book are with its oppoſite. For there is no medium beſides the medium itſelf. That medium is not ſuch, becauſe it is found there; but it is found there becauſe it is conformable to truth and nature. In this we do not follow the author; but we and the author travel together upon the ſame ſafe and middle path.

The theory contained in his book is not to furniſh principles for making a new conſtitution, but for illuſtrating the principles of a conſtitution already made. It is a theory drawn from the *fact* of our government. They who oppoſe it are bound to ſhew, that his theory militates with that fact. Otherwiſe, their quarrel is not with his book, but with the conſtitution of their country. The whole ſcheme of our mixed conſtitution is to prevent any one of its principles from being carried as far, as taken by itſelf, and theoretically, it would go. Allow that to be the true policy of the Britiſh ſyſtem, then moſt of the faults with which that ſyſtem

ſtands

ſtands charged will appear to be, not imperfections into which it has inadvertently fallen, but excellencies which it has ſtudiouſly ſought. To avoid the perfections of extreme, all its ſeveral parts are ſo conſtituted, as not alone to anſwer their own ſeveral ends, but alſo each to limit and controul the others: inſomuch, that take which of the principles you pleaſe—you will find its operation checked and ſtopped at a certain point. The whole movement ſtands ſtill rather than that any part ſhould proceed beyond its boundary. From thence it reſults, that in the Britiſh conſtitution, there is a perpetual treaty and compromiſe going on, ſometimes openly, ſometimes with leſs obſervation. To him who contemplates the Britiſh conſtitution, as to him who contemplates the ſubordinate material world, it will always be a matter of his moſt curious inveſtigation, to diſcover the ſecret of this mutual imitation.

——— Finita *poteſtas denique* cuique
Quanam ſit ratione, atque alte terminus hærens?

They who have acted, as in France they have done, upon a ſcheme wholly different, and who aim at the abſtract and unlimited perfection of power in the popular part, can be of no ſervice to us in any of our political arrangements. They who in their headlong career have overpaſſed the goal,

can furniſh no example to thoſe who aim to go no further. The temerity of ſuch ſpeculators is no more an example than the timidity of others. The one ſort ſcorns the right; the other fears it; both miſs it. But thoſe who by violence go beyond the barrier, are without queſtion the moſt miſchievous; becauſe to go beyond it they overturn and deſtroy it. To ſay they have ſpirit, is to ſay nothing in their praiſe. The untempered ſpirit of madneſs, blindneſs, immorality, and impiety, deſerves no commendation. He that ſets his houſe on fire becauſe his fingers are froſt-bitten, can never be a fit inſtructor in the method of providing our habitations with a cheerful and ſalutary warmth. We want no foreign examples to rekindle in us the flame of liberty. The example of our own anceſtors is abundantly ſufficient to maintain the ſpirit of freedom in its full vigour, and to qualify it in all its exertions. The example of a wiſe, moral, well-natured, and well-tempered ſpirit of freedom, is that alone which can be uſeful to us, or in the leaſt degree reputable or ſafe. Our fabrick is ſo conſtituted; one part of it bears ſo much on the other, the parts are ſo made for one another, and for nothing elſe, that to introduce any foreign matter into it, is to deſtroy it.

What has been ſaid of the Roman empire, is at leaſt as true of the Britiſh conſtitution—"*Octingentorum annorum fortuna, diſciplinaque,*

" *compages hæc coaluit; quæ convelli ſine con-*
" *vellentium exitio non poteſt.*"—This Britiſh conſtitution has not been ſtruck out at an heat by a ſet of preſumptuous men, like the aſſembly of pettifoggers run mad in Paris.

" *'Tis not the haſty product of a day,*
" *But the well-ripen'd fruit of wiſe delay.*"

It is the reſult of the thoughts of many minds, in many ages. It is no ſimple, no ſuperficial thing, nor to be eſtimated by ſuperficial underſtandings. An ignorant man, who is not fool enough to meddle with his clock, is however ſufficiently confident to think he can ſafely take to pieces, and put together at his pleaſure, a moral machine of another guiſe importance and complexity, compoſed of far other wheels, and ſprings, and balances, and counteracting and co-operating powers. Men little think how immorally they act in raſhly meddling with what they do not underſtand. Their deluſive good intention is no ſort of excuſe for their preſumption. They who truly mean well muſt be fearful of acting ill. The Britiſh conſtitution may have its advantages pointed out to wiſe and reflecting minds; but it is of too high an order of excellence to be adapted to thoſe which are common. It takes in too many views, it makes too many combinations, to be ſo much as

comprehended by ſhallow and ſuperficial underſtandings. Profound thinkers will know it in its reaſon and ſpirit. The leſs enquiring will recogniſe it in their feelings and their experience. They will thank God they have a ſtandard, which, in the moſt eſſential point of this great concern, will put them on a par with the moſt wiſe and knowing.

If we do not take to our aid the foregone ſtudies of men reputed intelligent and learned, we ſhall be always beginners. But men muſt learn ſomewhere; and the new teachers mean no more than what they effect, as far as they ſucceed, that is, to deprive men of the benefit of the collected wiſdom of mankind, and to make them blind diſciples of their own particular preſumption. Talk to theſe deluded creatures (all the diſciples and moſt of the maſters) who are taught to think themſelves ſo newly fitted up and furniſhed, and you will find nothing in their houſes but the refuſe of *Knaves Acre;* nothing but the rotten ſtuff, worn out in the ſervice of deluſion and ſedition in all ages, and which being newly furbiſhed up, patched, and varniſhed, ſerves well enough for thoſe who being unacquainted with the conflict which has always been maintained between the ſenſe and the nonſenſe of mankind, know nothing of the former exiſtence and the antient refutation of the ſame follies. It is near two thouſand years ſince it has been obſerved, that theſe devices of ambition, avarice, and turbulence,

turbulence, were antiquated. They are, indeed, the moſt antient of all common-places; common-places, ſometimes of good and neceſſary cauſes; more frequently of the worſt, but which decide upon neither.—*Eadem ſemper cauſa, libido et avaritia, et mutandarum rerum amor.—Ceterum libertas et ſpecioſa nomina pretexunter; nec quiſquam alienum ſervitium, et dominationem ſibi concupivit, ut non eadem iſta vocabula uſurparet.*

Rational and experienced men, tolerably well know, and have always known, how to diſtinguiſh between true and falſe liberty; and between the genuine adherence and the falſe pretence to what is true. But none except thoſe who are profoundly ſtudied, can comprehend the elaborate contrivance of a fabrick fitted to unite private and publick liberty with publick force, with order, with peace, with juſtice, and, above all, with the inſtitutions formed for beſtowing permanence and ſtability through ages, upon this invaluable whole.

Place, for inſtance, before your eyes, ſuch a man as Monteſquieu. Think of a genius not born in every country, or every time; a man gifted by nature with a penetrating aquiline eye; with a judgment prepared with the moſt extenſive erudition; with an herculean robuſtneſs of mind, and nerves not to be broken with labour; a man who could ſpend twenty years in one purſuit. Think of a man, like the univerſal patriarch in Milton

(who had drawn up before him in his prophetick viſion the whole ſeries of the generations which were to iſſue from his loins) a man capable of placing in review, after having brought together, from the eaſt, the weſt, the north and the ſouth, from the coarſeneſs of the rudeſt barbariſm to the moſt refined and ſubtle civilization, all the ſchemes of government which had ever prevailed amongſt mankind, weighing, meaſuring, collating, and comparing them all, joining fact with theory, and calling into council, upon all this infinite aſſemblage of things, all the ſpeculations which have fatigued the underſtandings of profound reaſoners in all times!—Let us then conſider, that all theſe were but ſo many preparatory ſteps to qualify a man, and ſuch a man, tinctured with no national prejudice, with no domeſtick affection, to admire, and to hold out to the admiration of mankind the conſtitution of England! And ſhall we Engliſhmen revoke to ſuch a ſuit? Shall we, when ſo much more than he has produced, remains ſtill to be underſtood and admired, inſtead of keeping ourſelves in the ſchools of real ſcience, chooſe for our teachers men incapable of being taught, whoſe only claim to know is, that they have never doubted; from whom we can learn nothing but their own indocility; who would teach us to ſcorn what in the ſilence of our hearts we ought to adore?

Different from them are all the great criticks. They

They have taught us one eſſential rule. I think the excellent and philoſophick artiſt, a true judge, as well as a perfect follower of nature, Sir Joſhua Reynolds, has ſomewhere applied it, or ſomething like it, in his own profeſſion. It is this, that if ever we ſhould find ourſelves diſpoſed not to admire thoſe writers or artiſts, Livy and Virgil for inſtance, Raphael or Michael Angelo, whom all the learned had admired, not to follow our own fancies, but to ſtudy them until we know how and what we ought to admire; and if we cannot arrive at this combination of admiration with knowledge, rather to believe that we are dull, than that the reſt of the world has been impoſed on. It is as good a rule, at leaſt, with regard to this admired conſtitution. We ought to underſtand it according to our meaſure; and to venerate where we are not able preſently to comprehend.

Such admirers were our fathers, to whom we owe this ſplendid inheritance. Let us improve it with zeal, but with fear. Let us follow our anceſtors, men not without a rational, though without an excluſive confidence in themſelves; who, by reſpecting the reaſon of others, who, by looking backward as well as forward, by the modeſty as well as by the energy of their minds, went on, inſenſibly drawing this conſtitution nearer and nearer to its perfection by never departing from its fundamental principles, nor introducing any amendment

amendment which had not a ſubſiſting root in the laws, conſtitution, and uſages of the kingdom. Let thoſe who have the truſt of political or of natural authority ever keep watch againſt the deſperate enterpriſes of innovation: Let even their benevolence be fortified and armed. They have before their eyes the example of a monarch, inſulted, degraded, confined, depoſed; his family diſperſed, ſcattered, impriſoned; his wife inſulted to his face like the vileſt of the ſex, by the vileſt of all populace; himſelf three times dragged by theſe wretches in an infamous triumph; his children torn from him, in violation of the firſt right of nature, and given into the tuition of the moſt deſperate and impious of the leaders of deſperate and impious clubs; his revenues dilapidated and plundered; his magiſtrates murdered; his clergy proſcribed, perſecuted, famiſhed; his nobility degraded in their rank, undone in their fortunes, fugitives in their perſons; his armies corrupted and ruined; his whole people impoveriſhed, diſunited, diſſolved; whilſt through the bars of his priſon, and amidſt the bayonets of his keepers, he hears the tumult of two conflicting factions, equally wicked and abandoned, who agree in principles, in diſpoſitions, and in objects, but who tear each other to pieces about the moſt effectual means of obtaining their common end; the one contending to preſerve for a while his name, and his perſon, the

more eaſily to deſtroy the royal authority—the other clamouring to cut off the name, the perſon, and the monarchy together, by one ſacrilegious execution. All this accumulation of calamity, the greateſt that ever fell upon one man, has fallen upon his head, becauſe he had left his virtues unguarded by caution; becauſe he was not taught that where power is concerned, he who will confer benefits muſt take ſecurity againſt ingratitude.

I have ſtated the calamities which have fallen upon a great prince and nation, becauſe they were not alarmed at the approach of danger, and becauſe, what commonly happens to men ſurpriſed, they loſt all reſource when they were caught in it. When I ſpeak of danger, I certainly mean to addreſs myſelf to thoſe who conſider the prevalence of the new whig doctrines as an evil.

The whigs of this day have before them, in this Appeal, their conſtitutional anceſtors: They have the doctors of the modern ſchool. They will chooſe for themſelves. The author of the Reflections has choſen for himſelf. If a new order is coming on, and all the political opinions muſt paſs away as dreams, which our anceſtors have worſhipped as revelations, I ſay for him, that he would rather be the laſt (as certainly he is the leaſt) of that race of men, than the firſt and greateſt of thoſe who have coined to themſelves whig principles from a French die, unknown to the impreſs of our fathers in the conſtitution.

A LETTER

TO

A PEER OF IRELAND,

ON

THE PENAL LAWS

AGAINST

IRISH CATHOLICKS;

PREVIOUS TO THE LATE REPEAL OF A PART THEREOF,

IN THE

SESSION OF THE IRISH PARLIAMENT,

HELD A. D. 1782.

LETTER,

&c. &c.

Charles-ſtreet, London, Feb. 21, 1782.

MY LORD,

I AM obliged to your lordſhip for your communication of the heads of Mr. Gardiner's bill. I had received it, in an earlier ſtage of its progreſs, from Mr. Braughall; and I am ſtill in that gentleman's debt, as I have not made him the proper return for the favour he has done me. Buſineſs, to which I was more immediately called, and in which my ſentiments had the weight of one vote, occupied me every moment ſince I received his letter. This firſt morning, which I can call my own, I give with great cheerfulneſs to the ſubject on which your lordſhip has done me the honour of deſiring my opinion. I have read the heads of the bill, with the amendments. Your lordſhip is too well acquainted with men, and with affairs, to imagine that any true judgment can be formed on the value of a great meaſure of policy from the peruſal of a piece of paper. At preſent I am much in the dark with regard to the ſtate of the country, which the

the intended law is to be applied to.* It is not eaſy for me to determine whether or no it was wiſe (for the ſake of expunging the black letter of laws, which, menacing as they were in the language, were every day fading into diſuſe) ſolemnly to re-affirm the principles, and to re-enact the proviſions, of a code of ſtatutes, by which you are totally excluded from THE PRIVILEGES OF THE COMMONWEALTH, from the higheſt to the loweſt, from the moſt material of the civil profeſſions, from the army, and even from education, where alone education is to be had.

Whether this ſcheme of indulgence, grounded at once on contempt and jealouſy, has a tendency gradually to produce ſomething better and more liberal, I cannot tell, for want of having the actual map of the country. If this ſhould be the caſe, it was right in you to accept it, ſuch as it is. But if this ſhould be one of the experiments, which have ſometimes been made before the temper of the nation was ripe for a real reformation, I think it may poſſibly have ill effects, by diſpoſing the penal matter in a more ſyſtematick order, and thereby fixing a permanent bar againſt any relief that is truly ſubſtantial. The whole merit or demerit of the

* The ſketch of the bill ſent to Mr. Burke, along with the repeal of ſome acts, re-affirmed many others in the penal code. It was altered afterwards, and the clauſes re-affirming the incapacities left out; but they all ſtill exiſt, and are in full force.

meaſure

meaſure depends upon the plans and diſpoſitions of thoſe by whom the act was made, concurring with the general temper of the Proteſtants of Ireland, and their aptitude to admit in time of ſome part of that equality, without which you never can be FELLOW-CITIZENS.—Of all this I am wholly ignorant. All my correſpondence with men of publick importance in Ireland has for ſome time totally ceaſed. On the firſt bill for the relief of the ROMAN CATHOLICKS of Ireland, I was, without any call of mine, conſulted both on your ſide of the water and on this. On the preſent occaſion, I have not heard a word from any man in office; and know as little of the intentions of the Britiſh government, as I know of the temper of the Iriſh parliament. I do not find that any oppoſition was made by the principal perſons of the minority in the houſe of commons, or that any is apprehended from them in the houſe of lords. The whole of the difficulty ſeems to lie with the principal men in government, under whoſe protection this bill is ſuppoſed to be brought in. This violent oppoſition and cordial ſupport, coming from one and the ſame quarter, appears to me ſomething myſterious, and hinders me from being able to make any clear judgment of the merit of the preſent meaſure, as compared with the actual ſtate of the country, and the general views of government, without which one can ſay nothing that may not be very erroneous.

To look at the bill, in the abſtract, it is neither more nor leſs than a renewed act of UNIVERSAL, UNMITIGATED, INDISPENSABLE, EXCEPTIONLESS DISQUALIFICATION.

One would imagine, that a bill, inflicting ſuch a multitude of incapacities, had followed on the heels of a conqueſt, made by a very fierce enemy, under the impreſſion of recent animoſity and reſentment. No man, on reading that bill, could imagine he was reading an act of amneſty and indulgence, following a recital of the good behaviour of thoſe who are the objects of it: which recital ſtood at the head of the bill, as it was firſt introduced: but, I ſuppoſe for its incongruity with the body of the piece, was afterwards omitted.—This I ſay on memory. It however ſtill recites the oath, and that Catholicks ought to be conſidered as good and loyal ſubjects to his majeſty, his crown and government. Then follows an univerſal excluſion of thoſe GOOD and LOYAL ſubjects from every (even the loweſt) office of truſt and profit; from any vote at an election; from any privilege in a town corporate; from being even a freeman of ſuch a corporation; from ſerving on grand juries; from a vote at a veſtry; from having a gun in his houſe; from being a barriſter, attorney, or ſolicitor, &c. &c. &c.

This has ſurely much more the air of a table of proſcription, than an act of grace. What muſt we ſuppoſe the laws concerning thoſe *good* ſubjects to have

have been, of which this is a relaxation? I know well that there is a cant language current, about the difference between an excluſion from employments even to the moſt rigorous extent, and an excluſion from the natural benefits ariſing from a man's own induſtry. I allow, that under ſome circumſtances, the difference is very material in point of juſtice, and that there are conſiderations which may render it adviſeable for a wiſe government to keep the leading parts of every branch of civil and military adminiſtration in hands of the beſt truſt; but a total excluſion from the commonwealth is a very different thing. When a government ſubſiſts (as governments formerly did) on an eſtate of its own, with but few and inconſiderable revenues drawn from the ſubject, then the few officers which exiſted in ſuch eſtabliſhments were naturally at the diſpoſal of that government which paid the ſalaries out of its own coffers; there an excluſive preference could hardly merit the name of proſcription. Almoſt the whole produce of a man's induſtry at that time remained in his own purſe to maintain his family. But times alter, and the *whole* eſtate of government is from private contribution. When a very great portion of the labour of individuals goes to the ſtate, and is by the ſtate again refunded to individuals, through the medium of offices, and in this circuitous progreſs from the private to the publick, and from the

publick again to the private fund, the families from whom the revenue is taken are indemnified, and an equitable balance between the government and the ſubject is eſtabliſhed. But if a great body of the people who contribute to this ſtate lottery, are excluded from all the prizes, the ſtopping the circulation with regard to them may be a moſt cruel hardſhip, amounting in effect to being double and treble taxed; and it will be felt as ſuch to the very quick by all the families high and low of thoſe hundreds of thouſands, who are denied their chance in the returned fruits of their own induſtry. This is the thing meant by thoſe who look upon the publick revenue only as a ſpoil; and will naturally wiſh to have as few as poſſible concerned in the diviſion of the booty. If a ſtate ſhould be ſo unhappy as to think it cannot ſubſiſt without ſuch a barbarous proſcription, the perſons ſo proſcribed ought to be indemnified by the remiſſion of a large part of their taxes, by an immunity from the offices of publick burden, and by an exemption from being preſſed into any military or naval ſervice.

Common ſenſe and common juſtice dictate this at leaſt, as ſome ſort of compenſation to a people for their ſlavery. How many families are incapable of exiſting, if the little offices of the revenue, and little military commiſſions are denied them! To deny them at home, and to make the happineſs

happineſs of acquiring ſome of them ſomewhere elſe, felony, or high treaſon, is a piece of cruelty, in which, till very lately, I did not ſuppoſe this age capable of perſiſting. Formerly a ſimilarity of religion made a ſort of country for a man in ſome quarter or other. A refugee for religion was a protected character. Now, the reception is cold indeed; and therefore as the aſylum abroad is deſtroyed, the hardſhip at home is doubled. This hardſhip is the more intolerable, becauſe the profeſſions are ſhut up. The church is ſo of courſe. Much is to be ſaid on that ſubject, in regard to them, and to the proteſtant diſſenters. But that is a chapter by itſelf. I am ſure I wiſh well to that church, and think its miniſters among the very beſt citizens of your country. However, ſuch as it is, a great walk in life is forbidden ground to ſeventeen hundred thouſand of the inhabitants of Ireland. Why are they excluded from the law? Do not they expend money in their ſuits? Why may not they indemnify themſelves, by profiting, in the perſons of ſome, for the loſſes incurred by others? Why may not they have perſons of confidence, whom they may, if they pleaſe, employ in the agency of their affairs? The excluſion from the law, from grand juries, from ſheriff-ſhips, and under-ſheriff-ſhips, as well as from freedom in any corporation, may ſubject them to dreadful hardſhips, as it may exclude them wholly from all that

is beneficial, and expoſe them to all that is miſchievous in a trial by jury. This was manifeſtly within my own obſervation, for I was three times in Ireland from the year 1760 to the year 1767, where I had ſufficient means of information, concerning the inhuman proceedings (among which were many cruel murders, beſides an infinity of outrages and oppreſſions, unknown before in a civilized age) which prevailed during that period in conſequence of a pretended conſpiracy among *Roman Catholicks* againſt the king's government. I could dilate upon the miſchiefs that may happen, from thoſe which have happened, upon this head of diſqualification, if it were at all neceſſary.

The head of excluſion from votes for members of parliament is cloſely connected with the former. When you caſt your eye on the ſtatute book, you will ſee that no *Catholick*, even in the ferocious acts of queen Anne, was diſabled from voting on account of his religion. The only conditions required for that privilege, were the oaths of allegiance and abjuration—both oaths relative to a civil concern. Parliament has ſince added another oath of the ſame kind; and yet a houſe of commons adding to the ſecurities of government, in proportion as its danger is confeſſedly leſſened, and profeſſing both confidence and indulgence, in effect takes away the privilege left by an act full of jealouſy, and profeſſing perſecution.

The

The taking away of a vote is the taking away the ſhield which the ſubject has, not only againſt the oppreſſion of power, but that worſt of all oppreſſions, the perſecution of private ſociety, and private manners. No candidate for parliamentary influence is obliged to the leaſt attention towards them, either in cities or counties. On the contrary, if they ſhould become obnoxious to any bigotted or malignant people amongſt whom they live, it will become the intereſt of thoſe who court popular favour, to uſe the numberleſs means which always reſide in magiſtracy and influence to oppreſs them. The proceedings in a certain county in Munſter, during the unfortunate period I have mentioned, read a ſtrong lecture on the cruelty of depriving men of that ſhield, on account of their ſpeculative opinions. The proteſtants of Ireland feel well and naturally on the hardſhip of being bound by laws in the enacting of which they do not directly or indirectly vote. The bounds of theſe matters are nice, and hard to be ſettled in theory, and perhaps they have been puſhed too far. But how they can avoid the neceſſary application of the principles they uſe in their diſputes with others, to their diſputes with their fellow-citizens, I know not.

It is true, the words of this act do not create a diſability; but they clearly and evidently ſuppoſe it. There are few *Catholick* freeholders to take the

benefit of the privilege, if they were permitted to partake it; but the manner in which this very right in freeholders at large is defended, is not on the idea that the freeholders do really and truly repreſent the people; but that all people being capable of obtaining freeholds, all thoſe, who, by their induſtry and ſobriety merit this privilege, have the means of arriving at votes. It is the ſame with the corporations.

The laws againſt foreign education are clearly the very worſt part of the old code. Beſides your laity, you have the ſucceſſion of about 4000 clergymen to provide for. Theſe having no lucrative objects in proſpect, are taken very much out of the lower orders of the people. At home, they have no means whatſoever provided for their attaining a clerical education, or indeed any education at all. When I was in Paris, about ſeven years ago, I looked at every thing, and lived with every kind of people, as well as my time admitted. I ſaw there the Iriſh college of the Lombard, which ſeemed to me a very good place of education, under excellent orders and regulations, and under the government of a very prudent and learned man (the late Dr. KELLY). This college was poſſeſſed of an annual fixed revenue of more than a thouſand pound a year; the greateſt part of which had ariſen from the legacies and benefactions of perſons educated in that college, and who had obtained

obtained promotions in France, from the emolument of which promotions they made this grateful return. One in particular I remember, to the amount of ten thouſand livres, annually, as it is recorded on the donor's monument in their chapel.

It has been the cuſtom of poor perſons in Ireland, to pick up ſuch knowledge of the Latin tongue as, under the general diſcouragements, and occaſional purſuits of magiſtracy, they were able to acquire; and receiving orders at home, were ſent abroad to obtain a clerical education. By officiating in petty chaplainſhips, and performing, now and then, certain offices of religion for ſmall gratuities, they received the means of maintaining themſelves, until they were able to complete their education. Through ſuch difficulties and diſcouragements, many of them have arrived at a very conſiderable proficiency, ſo as to be marked and diſtinguiſhed abroad. Theſe perſons afterwards, by being ſunk in the moſt abject poverty, deſpiſed and ill-treated by the higher orders among proteſtants, and not much better eſteemed or treated, even by the few perſons of fortune of their own perſuaſion; and contracting the habits and ways of thinking of the poor and uneducated, among whom they were obliged to live, in a few years retained little or no traces of the talents and acquirements, which diſtinguiſhed them in the

early

early periods of their lives. Can we, with juſtice, cut them off from the uſe of places of education, founded, for the greater part, from the œconomy of poverty and exile, without providing ſomething that is equivalent at home?

Whilſt this reſtraint of foreign and domeſtick education was part of an horrible and impious ſyſtem of ſervitude, the members were well fitted to the body. To render men patient, under a deprivation of all the rights of human nature, every thing which could give them a knowledge or feeling of thoſe rights was rationally forbidden. To render humanity fit to be inſulted, it was fit that it ſhould be degraded. But when we profeſs to reſtore men to the capacity for property, it is equally irrational and unjuſt to deny them the power of improving their minds as well as their fortunes. Indeed, I have ever thought the prohibition of the means of improving our rational nature, to be the worſt ſpecies of tyranny that the inſolence and perverſeneſs of mankind ever dared to exerciſe. This goes to all men, in all ſituations, to whom education can be denied.

Your lordſhip mentions a propoſal which came from my friend the provoſt, whoſe benevolence and enlarged ſpirit I am perfectly convinced of; which is, the propoſal of erecting a few ſizerſhips in the college, for the education (I ſuppoſe) of

Roman

Roman Catholick clergymen.* He certainly meant it well; but, coming from such a man as he is, it is a strong instance of the danger of suffering any description of men to fall into entire contempt—The charities intended for them are not perceived to be fresh insults; and the true nature of their wants and necessities being unknown, remedies wholly unsuitable to the nature of their complaint are provided for them. It is to feed a sick Gentoo with beef broth, and to foment his wounds with brandy. If the other parts of the university were open to them, as well on the foundation as otherwise, the offering of sizerships would be a proportioned part of a *general* kindness. But when every thing *liberal* is withheld, and only that which is *servile* is permitted, it is easy to conceive upon what footing they must be in such a place.

Mr. Hutchinson must well know the regard and honour I have for him; and he cannot think my dissenting from him in this particular, arises from a disregard of his opinion: it only shews that I think he has lived in Ireland. To have any respect for the character and person of a popish priest there——oh! 'tis an uphill work indeed. But until we come to respect what stands in a respectable light with others, we are very deficient in the

*It appears that Mr. Hutchinson meant this only as one of the means for their relief in point of education.

temper

temper which qualifies us to make any laws and regulations about them. It even diſqualifies us from being charitable to them with any effect or judgment.

When we are to provide for the education of any body of men, we ought ſeriouſly to conſider the particular functions they are to perform in life. A Roman Catholick clergyman is the miniſter of a very ritual religion: and by his profeſſion ſubject to many reſtraints. His life is a life full of ſtrict obſervances, and his duties are of a laborious nature towards himſelf, and of the higheſt poſſible truſt towards others. The duty of confeſſion alone is ſufficient to ſet in the ſtrongeſt light the neceſſity of his having an appropriated mode of education. The theological opinions and peculiar rites of one religion never can be properly taught in univerſities, founded for the purpoſes and on the principles of another, which in many points are directly oppoſite. If a Roman Catholick clergyman, intended for celibacy, and the function of confeſſion, is not ſtrictly bred in a ſeminary where theſe things are reſpected, inculcated and enforced, as ſacred, and not made the ſubject of deriſion and obloquy, he will be ill fitted for the former, and the latter will be indeed in his hands a terrible inſtrument.

There is a great reſemblance between the whole frame and conſtitution of the Greek and Latin

churches. The ſecular clergy, in the former, by being married, living under little reſtraint, and having no particular education ſuited to their function, are univerſally fallen into ſuch contempt, that they are never permitted to aſpire to the dignities of their own church. It is not held reſpectful to call them *papas*, their true and antient appellation, but thoſe who wiſh to addreſs them with civility always call them *hieromonachi*. In conſequence of this diſreſpect, which I venture to ſay, in ſuch a church, muſt be the conſequence of a ſecular life, a very great degeneracy from reputable chriſtian manners has taken place throughout almoſt the whole of that great member of the chriſtian church.

It was ſo with the Latin church, before the reſtraint on marriage. Even that reſtraint gave riſe to the greateſt diſorders before the council of Trent, which together with the emulation raiſed, and the good examples given by the reformed churches, wherever they were in view of each other, has brought on that happy amendment, which we ſee in the Latin communion, both at home and abroad.

The council of Trent has wiſely introduced the diſcipline of ſeminaries, by which prieſts are not truſted for a clerical inſtitution, even to the ſevere diſcipline of their colleges; but after they paſs through them, are frequently, if not for the greater

part,

part, obliged to paſs through peculiar methods, having their particular ritual function in view. It is in a great meaſure to this, and to ſimilar methods uſed in foreign education, that the Roman Catholick clergy of Ireland, miſerably provided for, living among low and ill regulated people, without any diſcipline of ſufficient force to ſecure good manners, have been prevented from becoming an intolerable nuiſance to the country, inſtead of being, as I conceive they generally are, a very great ſervice to it.

The miniſters of proteſtant churches require a different mode of education, more liberal and more fit for the ordinary intercourſe of life. That religion having little hold on the minds of people by external ceremonies, and extraordinary obſervances, or ſeparate habits of living, the clergy make up the deficiency by cultivating their minds with all kinds of ornamental learning, which the liberal proviſion made in England and Ireland for the parochial clergy, (to ſay nothing of the ample church preferments, with little or no duties annexed) and the comparative lightneſs of parochial duties, enables the greater part of them in ſome conſiderable degree to accompliſh.

This learning, which I believe to be pretty general, together with an higher ſituation, and more chaſtened by the opinion of mankind, forms a ſufficient ſecurity for the morals of the eſtabliſhed clergy,

clergy, and for their ſuſtaining their clerical character with dignity. It is not neceſſary to obſerve, that all theſe things are, however collateral to their function and that except in preaching, which may be and is ſupplied, and often beſt ſupplied, out of printed books, little elſe is neceſſary for a proteſtant miniſter, than to be able to read the Engliſh language; I mean for the exerciſe of his function, not to the qualification of his admiſſion to it. But a popiſh parſon in Ireland may do very well without any conſiderable claſſical erudition, or any proficiency in pure or mixed mathematicks, or any knowledge of civil hiſtory. Even if the catholick clergy ſhould poſſeſs thoſe acquiſitions, as at firſt many of them do, they ſoon loſe them in the painful courſe of profeſſional and parochial duties: but they muſt have all the knowledge, and what is to them more important than the knowledge, the diſcipline neceſſary to thoſe duties. All modes of education, conducted by thoſe whoſe minds are caſt in another mould, as I may ſay, and whoſe original ways of thinking are formed upon the reverſe pattern, muſt be to them not only uſeleſs, but miſchievous. Juſt as I ſhould ſuppoſe the education in a popiſh eccleſiaſtical ſeminary would be ill fitted for a proteſtant clergyman. To educate a catholick prieſt in a proteſtant ſeminary would be much worſe. The proteſtant educated amongſt catholicks has only ſomething to reject: what he

keeps

keeps may be uſeful. But a catholick pariſh prieſt learns little for his peculiar purpoſe and duty in a proteſtant college.

All this, my lord, I know very well, will paſs for nothing with thoſe who wiſh that the popiſh clergy ſhould be illiterate, and in a ſituation to produce contempt and deteſtation. Their minds are wholly taken up with party ſquabbles, and I have neither leiſure nor inclination to apply any part of what I have to ſay, to thoſe who never think of religion, or of the commonwealth, in any other light, than as they tend to the prevalence of ſome faction in either. I ſpeak on a ſuppoſition, that there is a diſpoſition *to take the ſtate in the condition in which it is found*, and to improve it *in that ſtate* to the beſt advantage. Hitherto the plan for the government of Ireland has been, to ſacrifice the civil proſperity of the nation to its religious improvement. But if people in power there are at length come to entertain other ideas, they will conſider the good order, decorum, virtue, and morality of every deſcription of men among them, as of infinitely greater importance than the ſtruggle (for it is nothing better) to change thoſe deſcriptions by means which put to hazard, objects, which, in my poor opinion, are of more importance to religion and to the ſtate, than all the polemical matter which has been agitated among men from the beginning of the world to this hour.

On

On this idea, an education fitted *to each order and diviſion of men, ſuch as they are found,* will be thought an affair rather to be encouraged than diſcountenanced: and until inſtitutions at home, ſuitable to the occaſions and neceſſities of the people, are eſtabliſhed, and which are armed, as they are abroad, with authority to coerce the young men to be formed in them, by a ſtrict and ſevere diſcipline,—the means they have, at preſent, of a cheap and effectual education in other countries, ſhould not continue to be prohibited by penalties and modes of inquiſition, not fit to be mentioned to ears that are organized to the chaſte ſounds of equity and juſtice.

Before I had written thus far, I heard of a ſcheme of giving to the Caſtle the patronage of the preſiding members of the catholick clergy. At firſt I could ſcarcely credit it: for I believe it is the firſt time that the preſentation to other people's alms has been deſired in any country. If the ſtate provides a ſuitable maintenance and temporality for the governing members of the Iriſh Roman catholick church, and for the clergy under them, I ſhould think the project, however improper in other reſpects, to be by no means unjuſt. But to deprive a poor people, who maintain a ſecond ſet of clergy, out of the miſerable remains of what is left after taxing and tything—to deprive them of the diſpoſition of their own charities among their

own communion, would, in my opinion, be an intolerable hardſhip. Never were the members of one religious ſect, fit to appoint the paſtors to another. Thoſe who have no regard for their welfare, reputation, or internal quiet, will not appoint ſuch as are proper. The ſeraglio of Conſtantinople is as equitable as we are, whether catholicks or proteſtants; and where their own ſect is concerned, full as religious. But the ſport which they make of the miſerable dignities of the Greek church, the little factions of the haram, to which they make them ſubſervient, the continual ſale to which they expoſe and re-expoſe the ſame dignity, and by which they ſqueeze all the inferiour orders of the clergy, is (for I have had particular means of being acquainted with it) nearly equal to all the other oppreſſions together, exerciſed by muſſulmen over the unhappy members of the Oriental church. It is a great deal to ſuppoſe that even the preſent Caſtle would nominate biſhops for the Roman church of Ireland, with a religious regard for its welfare. Perhaps they cannot, perhaps they dare not do it.

But ſuppoſe them to be as well inclined as I know that I am, to do the catholicks all kind of juſtice, I declare I would not, if it were in my power, take that patronage on myſelf.—I know I ought not to do it. I belong to another community; and it would be intolerable uſurpation for me

to

to affect ſuch authority, where I conferred no benefit, or even if I did confer (as in ſome degree the ſeraglio does) temporal advantages. But, allowing that the *preſent* Caſtle finds itſelf fit to adminiſter the government of a church which they ſolemnly forſwear, and forſwear with very hard words and many evil epithets, and that as often as they qualify themſelves for the power which is to give this very patronage, or to give any thing elſe that they deſire; yet they cannot enſure themſelves that a man like the late Lord Cheſterfield will not ſucceed to them. This man, while he was duping the credulity of papiſts with fine words in private, and commending their good behaviour during a rebellion in Great Britain, (as it well deſerved to be commended and rewarded) was capable of urging penal laws againſt them in a ſpeech from the throne, and of ſtimulating with provocatives the wearied and half-exhauſted bigotry of the then parliament of Ireland. They ſet to work, but they were at a loſs what to do; for they had already almoſt gone through every contrivance which could *waſte the vigour* of their country: but, after much ſtruggle, they produced a child of their old age, the ſhocking and unnatural act about marriages, which tended to finiſh the ſcheme for making the people not only two diſtinct parties for ever, but keeping them as two diſtinct ſpecies in the ſame land. Mr. Gardiner's humanity was

ſhocked at it, as one of the worſt parts of that truly barbarous ſyſtem, if one could well ſettle the preference, where almoſt all the parts were outrages on the rights of humanity, and the laws of nature.

Suppoſe an atheiſt, playing the part of a bigot, ſhould be in power again in that country, do you believe that he would faithfully and religiouſly adminiſter the truſt of appointing paſtors to a church, which, wanting every other ſupport, ſtands in tenfold need of miniſters who will be dear to the people committed to their charge, and who will exerciſe a really paternal authority amongſt them? But if the ſuperiour power was always in a diſpoſition to diſpenſe conſcientiouſly, and like an upright truſtee and guardian of theſe rights which he holds for thoſe with whom he is at variance, has he the capacity and means of doing it? How can the lord lieutenant form the leaſt judgment of their merits, ſo as to diſcern which of the popiſh prieſts is fit to be made a biſhop? It cannot be: the idea is ridiculous.—He will hand them over to lords lieutenants of counties, juſtices of the peace, and other perſons, who, for the purpoſe of vexing and turning to deriſion this miſerable people, will pick out the worſt and moſt obnoxious they can find amongſt the clergy to ſet over the reſt. Whoever is complained againſt by his brother, will be conſidered as perſecuted: Whoever is cenſured by

his ſuperiour, will be looked upon as oppreſſed: Whoever is careleſs in his opinions, and looſe in his morals, will be called a liberal man, and will be ſuppoſed to have incurred hatred, becauſe he was not a bigot. Informers, tale-bearers, perverſe and obſtinate men, flatterers, who turn their back upon their flock, and court the proteſtant gentlemen of the country, will be the objects of preferment. And then I run no riſk in foretelling, that whatever order, quiet, and morality you have in the country, will be loſt. A popiſh clergy, who are not reſtrained by the moſt auſtere ſubordination, will become a nuiſance, a real publick grievance of the heavieſt kind, in any country that entertains them: and inſtead of the great benefit which Ireland does, and has long derived from them, if they are educated without any idea of diſcipline and obedience, and then put under biſhops, who do not owe their ſtation to their good opinion, and whom they cannot reſpect, that nation will ſee diſorders, of which, bad as things are, it has yet no idea. I do not ſay this, as thinking the leading men in Ireland would exerciſe this truſt worſe than others. Not at all. No man, no ſet of men living are fit to adminiſter the affairs, or regulate the interiour œconomy of a church to which they are enemies.

As to government, if I might recommend a prudent caution to them,—it would be, to innovate

as little as poſſible, upon ſpeculation, in eſtabliſhments, from which, as they ſtand, they experience no material inconvenience to the repoſe of the country,—*quieta non movere.*—I could ſay a great deal more; but I am tired; and am afraid your lordſhip is tired too. I have not ſat to this letter a ſingle quarter of an hour without interruption. It has grown long, and probably contains many repetitions, from my total want of leiſure to digeſt and conſolidate my thoughts; and as to my expreſſions, I could wiſh to be able perhaps to meaſure them more exactly. But my intentions are fair, and I certainly mean to offend nobody.

* * * * * * * * *

* * * * * * * * *

Thinking over this matter more maturely, I ſee no reaſon for altering my opinion in any part. The act, as far as it goes, is good undoubtedly. It amounts, I think, very nearly to a *toleration*, with reſpect to religious ceremonies; but it puts a new bolt on civil rights, and rivets it to the old one, in ſuch a manner, that neither, I fear, will be eaſily looſened. What I could have wiſhed would be, to ſee the civil advantages take the lead; the other of a religious toleration, I conceive, would follow, (in a manner) of courſe. From what I have obſerved, it is pride, arrogance, and a ſpirit

of domination, and not a bigotted ſpirit of religion, that has cauſed and kept up thoſe oppreſſive ſtatutes. I am ſure I have known thoſe who have oppreſſed papiſts in their civil rights, exceedingly indulgent to them in their religious ceremonies, and who really wiſhed them to continue catholicks, in order to furniſh pretences for oppreſſion. Theſe perſons never ſaw a man (by converting) eſcape out of their power, but with grudging and regret. I have known men, to whom I am not uncharitable in ſaying, (though they are dead) that they would have become papiſts in order to oppreſs proteſtants; if, being proteſtants, it was not in their power to oppreſs papiſts. It is injuſtice, and not a miſtaken conſcience, that has been the principle of perſecution, at leaſt as far as it has fallen under my obſervation. However, as I began, ſo I end. I do not know the map of the country. Mr. Gardiner, who conducts this great, and difficult work, and thoſe who ſupport him, are better judges of the buſineſs than I can pretend to be, who have not ſet my foot in Ireland theſe ſixteen years. I have been given to underſtand, that I am not conſidered as a friend to that country: and I know that pains have been taken to leſſen the credit that I might have had there.

* * * * * * *

I am ſo convinced of the weakneſs of interfering in any buſineſs, without the opinion of the people

in whoſe buſineſs I interfere, that I do not know how to acquit myſelf of what I have now done.—I have the honour to be, with high regard and eſteem,

My Lord,

Your Lordſhip's moſt obedient,

And humble ſervant, &c.

EDMUND BURKE.

A LETTER

TO SIR H. LANGRISHE, BART. M.P.

ON THE SUBJECT OF THE

ROMAN CATHOLICKS OF IRELAND,

AND

THE PROPRIETY OF ADMITTING THEM

TO

THE ELECTIVE FRANCHISE,

CONSISTENTLY WITH THE

PRINCIPLES OF THE CONSTITUTION

AS ESTABLISHED AT

THE REVOLUTION.

1792.

LETTER,

&c. &c.

MY DEAR SIR,

YOUR remembrance of me, with ſentiments of ſo much kindneſs, has given me the moſt ſincere ſatisfaction. It perfectly agrees with the friendly and hoſpitable reception which my ſon and I received from you, ſome time ſince, when after an abſence of twenty-two years, I had the happineſs of embracing you, among my few ſurviving friends.

I really imagined that I ſhould not again intereſt myſelf in any publick buſineſs. I had, to the beſt of my moderate faculties, paid my club to the ſociety, which I was born in ſome way or other to ſerve; and I thought I had a right to put on my night-gown and ſlippers, and wiſh a cheerful evening to the good company I muſt leave behind. But if our reſolutions of vigour and exertion are ſo often broken or procraſtinated in the execution, I think we may be excuſed, if we are not very punctual in fulfilling our engagements to indolence and inactivity. I have indeed no power of action; and am almoſt a cripple, even with regard

to

to thinking: but you deſcend with force into the ſtagnant pool; and you cauſe ſuch a fermentation, as to cure at leaſt one impotent creature of his lameneſs, though it cannot enable him either to run or to wreſtle.

You ſee by the paper* I take that I am likely to be long, with malice prepenſe. You have brought under my view a ſubject, always difficult, at preſent critical.——It has filled my thoughts, which I wiſh to lay open to you with the clearneſs and ſimplicity which your friendſhip demands from me. I thank you for the communication of your ideas. I ſhould be ſtill more pleaſed if they had been more your own. What you hint, I believe, to be the caſe; that if you had not deferred to the judgment of others, our opinions would not differ more materially at this day, than they did when we uſed to confer on the ſame ſubject, ſo many years ago. If I ſtill perſevere in my old opinions, it is no ſmall comfort to me that it is not with regard to doctrines properly yours, that I diſcover my indocility.

The caſe upon which your letter of the 10th of December turns, is hardly before me with preciſion enough, to enable me to form any very certain judgment upon it. It ſeems to be ſome plan of further indulgence propoſed for the Catholicks of Ireland. You obſerve, that your "general principles are

* The letter is written on folio ſheets.

"not

" not changed, but that *times and circumſtances* " *are altered.*" I perfectly agree with you, that times and circumſtances, conſidered with reference to the publick, ought very much to govern our conduct; though I am far from ſlighting, when applied with diſcretion to thoſe circumſtances, general principles and maxims of policy. I cannot help obſerving, however, that you have ſaid rather leſs upon the inapplicability of your own old principles to the *circumſtances* that are likely to influence your conduct againſt theſe principles, than of the *general* maxims of ſtate, which I can very readily believe not to have great weight with you perſonally.

In my preſent ſtate of imperfect information, you will pardon the errours into which I may eaſily fall. The principles you lay down are, " that the " Roman catholicks ſhould enjoy every thing *un-* " *der* the ſtate, but ſhould not be *the ſtate itſelf.*" And you add, "that when you exclude them from " being *a part of the ſtate*, you rather conform to " the ſpirit of the age, than to any abſtract doc- " trine;" but you conſider the conſtitution as already eſtabliſhed—that our ſtate is proteſtant. "It " was declared ſo at the revolution. It was ſo " provided in the acts for ſettling the ſucceſſion of " the crown:—the king's coronation oath was en- " joined, in order to keep it ſo. The king, as firſt " magiſtrate of the ſtate, is obliged to take the

" oath

" oath of abjuration,* and to ſubſcribe the decla-
" ration; and, by laws ſubſequent, every other
" magiſtrate and member of the ſtate, legiſlative
" and executive, are bound under the ſame obli-
" gation."

As to the plan to which theſe maxims are applied, I cannot ſpeak, as I told you, poſitively about it. Becauſe, neither from your letter, nor from any information I have been able to collect, do I find any thing ſettled, either on the part of the Roman catholicks themſelves, or on that of any perſons who may wiſh to conduct their affairs in parliament. But if I have leave to conjecture, ſomething is in agitation towards admitting them, under *certain qualifications*, to have *ſome ſhare* in the election of members of parliament. This I underſtand is the ſcheme of thoſe who are entitled to come within your deſcription of perſons of conſideration, property, and character; and firmly attached to the king and conſtitution, as by "law
" eſtabliſhed, with a grateful ſenſe of your former
" conceſſions, and a patient reliance on the benig-
" nity of parliament, for the further mitigation of
" the laws that ſtill affect them."—As to the low, thoughtleſs, wild and profligate, who have joined themſelves with thoſe of other profeſſions, but of the ſame character; you are not to imagine, that,

* A ſmall errour of fact as to the abjuration oath; but of no importance in the argument.

for

for a moment, I can ſuppoſe them to be met with any thing elſe than the manly and enlightened energy of a firm government, ſupported by the united efforts of all virtuous men, if ever their proceedings ſhould become ſo conſiderable as to demand its notice. I really think that ſuch aſſociations ſhould be cruſhed in their very commencement.

Setting, therefore, this caſe out of the queſtion, it becomes an object of very ſerious conſideration, whether, becauſe wicked men of *various* deſcriptions are engaged in ſeditious courſes, the rational, ſober, and valuable part of *one* deſcription ſhould not be indulged in their ſober and rational expectations? You, who have looked deeply into the ſpirit of the popery laws, muſt be perfectly ſenſible, that a great part of the preſent miſchief, which we abhor in common (if it at all exiſts) has ariſen from them. Their declared object was to reduce the catholicks of Ireland to a miſerable populace, without property, without eſtimation, without education. The profeſſed object was to deprive the few men who, in ſpite of thoſe laws, might hold or obtain any property amongſt them, of all ſort of influence or authority over the reſt. They divided the nation into two diſtinct bodies, without common intereſt, ſympathy, or connexion. One of theſe bodies was to poſſeſs *all* the franchiſes, *all* the property, *all* the education: the other was to be

compoſed

compoſed of drawers of water and cutters of turf for them. Are we to be aſtoniſhed, when, by the efforts of ſo much violence in conqueſt, and ſo much policy in regulation, continued without intermiſſion for near an hundred years, we had reduced them to a mob; that whenever they came to act at all, many of them would act exactly like a mob, without temper, meaſure, or foreſight? Surely it might be juſt now a matter of temperate diſcuſſion, whether you ought not to apply a remedy to the real cauſe of the evil. If the diſorder you ſpeak of be real and conſiderable, you ought to raiſe an ariſtocratick intereſt; that is, an intereſt of property and education amongſt them: and to ſtrengthen by every prudent means, the authority and influence of men of that deſcription. It will deſerve your beſt thoughts, to examine whether this can be done without giving ſuch perſons the means of demonſtrating to the reſt, that ſomething more is to be got by their temperate conduct, than can be expected from the wild and ſenſeleſs projects, of thoſe, who do not belong to their body, who have no intereſt in their well being, and only wiſh to make them the dupes of their turbulent ambition.

If the abſurd perſons you mention find no way of providing for liberty, but by overturning this happy conſtitution, and introducing a frantick democracy, let us take care how we prevent better

people

people, from any rational expectations of partaking in the benefits of that conſtitution *as it ſtands*. The maxims you eſtabliſh cut the matter ſhort. They have no ſort of connexion with the good or the ill behaviour of the perſons who ſeek relief, or with the proper or improper means by which they ſeek it. They form a perpetual bar to all pleas and to all expectations.

You begin by aſſerting, that "the Catholicks "ought to enjoy all things *under* the ſtate, but that "they ought not to *be the ſtate*." A poſition which, I believe, in the latter part of it, and in the latitude there expreſſed, no man of common ſenſe has ever thought proper to diſpute: becauſe the contrary implies, that the ſtate ought to be in them *excluſively*. But before you have finiſhed the line, you expreſs yourſelf as if the other member of your propoſition, namely, that "they ought not "to be *a part* of the ſtate," were neceſſarily included in the firſt—Whereas I conceive it to be as different as a part is from the whole; that is, juſt as different as poſſible. I know indeed, that it is common with thoſe who talk very differently from you, that is, with heat and animoſity, to confound thoſe things, and to argue the admiſſion of the catholicks into any, however minute and ſubordinate, parts of the ſtate, as a ſurrender into their hands of the whole government of the kingdom. To them I have nothing at all to ſay.

Wiſhing to proceed with a deliberative ſpirit and temper in ſo very ſerious a queſtion, I ſhall attempt to analyze, as well as I can, the principles you lay down, in order to fit them for the graſp of an underſtanding ſo little comprehenſive as mine —'State'—'Proteſtant'—'Revolution.' Theſe are terms, which, if not well explained, may lead us into many errours. In the word *State*, I conceive there is much ambiguity. The ſtate is ſometimes uſed to ſignify *the whole commonwealth*, comprehending all its orders, with the ſeveral privileges belonging to each. Sometimes it ſignifies only *the higher and ruling part* of the commonwealth; which we commonly call *the Government*. In the firſt ſenſe, to be under the ſtate, but not the ſtate itſelf, *nor any part of it*, that is to be nothing at all in the commonwealth, is a ſituation perfectly intelligible: but to thoſe who fill that ſituation, not very pleaſant, when it is underſtood. It is a ſtate of *civil ſervitude* by the very force of the definition. *Servorum non eſt reſpublica*, is a very old and a very true maxim. This ſervitude, which makes men *ſubject* to a ſtate without being *citizens*, may be more or leſs tolerable from many circumſtances: but theſe circumſtances, more or leſs favourable, do not alter the nature of the thing. The mildneſs by which abſolute maſters exerciſe their dominion, leaves them maſters ſtill. We may talk a little preſently of the manner in which the majority

of

of the people of Ireland (the catholicks) are affected by this ſituation; which at preſent undoubtedly is theirs, and which you are of opinion ought ſo to continue for ever.

In the other ſenſe of the word *State*, by which is underſtood the *Supreme Government* only, I muſt obſerve this upon the queſtion: that to exclude whole claſſes of men entirely from this *part* of government, cannot be conſidered as *abſolute ſlavery*. It only implies a lower and degraded ſtate of citizenſhip; ſuch is (with more or leſs ſtrictneſs) the condition of all countries, in which an hereditary nobility poſſeſs the excluſive rule. This may be no bad mode of government; provided that the perſonal authority of individual nobles be kept in due bounds, that their cabals and factions are guarded againſt with a ſevere vigilance, and that the people, (who have no ſhare in granting their own money) are ſubjected to but light impoſitions, and are otherwiſe treated with attention, and with indulgence to their humours and prejudices.

The republick of Venice is one of thoſe which ſtrictly confines all the great functions and offices, ſuch as are truly *ſtate*-functions and *ſtate*-offices, to thoſe who, by hereditary right or admiſſion, are noble Venetians. But there are many offices, and ſome of them not mean nor unprofitable, (that of chancellor is one) which are reſerved for the *Cittadini*. Of theſe all citizens of Venice are capable.

The inhabitants of the *Terra firma*, who are mere ſubjects of conqueſt, that is, as you expreſs it, under the ſtate, but "not a part of it," are not, however, ſubjects in ſo very rigorous a ſenſe as not to be capable of numberleſs ſubordinate employments. It is indeed one of the advantages attending the narrow bottom of their ariſtocracy (narrow as compared with their acquired dominions, otherwiſe broad enough) that an excluſion from ſuch employments cannot poſſibly be made amongſt their ſubjects. There are, beſides, advantages in ſtates ſo conſtituted, by which thoſe who are conſidered as of an inferiour race, are indemnified for their excluſion from the government and from nobler employments. In all theſe countries, either by expreſs law, or by uſage more operative, the noble caſts are almoſt univerſally, in their turn, excluded from commerce, manufacture, farming of land, and in general from all lucrative civil profeſſions. The nobles have the monopoly of honour. The plebeians a monopoly of all the means of acquiring wealth. Thus ſome ſort of a balance is formed among conditions; a ſort of compenſation is furniſhed to thoſe, who, in a *limited ſenſe*, are excluded from the government of the ſtate.

Between the extreme of *a total excluſion*, to which your maxim goes, and *an univerſal unmodified capacity*, to which the fanaticks pretend, there are many different degrees and ſtages, and a great variety

variety of temperaments, upon which prudence may give full ſcope to its exertions. For you know that the deciſions of prudence (contrary to the ſyſtem of the inſane reaſoners) differ from thoſe of judicature: and that almoſt all the former are determined on the more or the leſs, the earlier or the later, and on a balance of advantage and inconvenience, of good and evil.

In all conſiderations which turn upon the queſtion of veſting or continuing the ſtate ſolely and excluſively in ſome one deſcription of citizens; prudent legiſlators will conſider, how far *the general form and principles of their commonwealth render it fit to be caſt into an oligarchical ſhape, or to remain always in it.* We know that the government of Ireland (the ſame as the Britiſh) is not in its conſtitution *wholly* ariſtocratical; and as it is not ſuch in its form, ſo neither is it in its ſpirit. If it had been inveterately ariſtocratical, excluſions might be more patiently ſubmitted to. The lot of one plebeian would be the lot of all; and an habitual reverence and admiration of certain families, might make the people content to ſee government wholly in hands to whom it ſeemed naturally to belong. But our conſtitution has *a plebian member*, which forms an eſſential integrant part of it. A plebeian oligarchy is a monſter: and no people, not abſolutely domeſtick or predial ſlaves, will long endure it. The proteſtants of Ireland are not *alone*

ſufficiently the people to form a democracy; and they are *too numerous* to anſwer the ends and purpoſes of *an ariſtocracy*. Admiration, that firſt ſource of obedience, can be only the claim or the impoſture of the few. I hold it to be abſolutely impoſſible for two millions of plebeians, compoſing certainly, a very clear and decided majority in that claſs, to become ſo far in love with ſix or ſeven hundred thouſand of their fellow-citizens (to all outward appearance plebeians like themſelves, and many of them tradeſmen, ſervants, and otherwiſe inferiour to ſome of them) as to ſee with ſatisfaction, or even with patience, an excluſive power veſted in them, by which *conſtitutionally* they become the abſolute maſters; and by the *manners* derived from their circumſtances, muſt be capable of exerciſing upon them, daily and hourly, an inſulting and vexatious ſuperiority. Neither are the majority of the Iriſh indemnified (as in ſome ariſtocracies) for this ſtate of humiliating vaſſalage (often inverting the nature of things and relations) by having the lower walks of induſtry wholly abandoned to them. They are rivalled, to ſay the leaſt of the matter, in every laborious and lucrative courſe of life; while every franchiſe, every honour, every truſt, every place down to the very loweſt and leaſt confidential (beſides whole profeſſions) is reſerved for the maſter caſt.

Our conſtitution is not made for great, general, and

and proſcriptive excluſions; ſooner or later it will deſtroy them, or they will deſtroy the conſtitution. In our conſtitution there has always been a difference between *a franchiſe* and *an office*, and between the capacity for the one and for the other. Franchiſes, were ſuppoſed to belong to the *ſubject*, as *a ſubject*, and not *as a member of the governing part of the ſtate*. The policy of government has conſidered them as things very different; for whilſt parliament excluded by the teſt acts (and for a while theſe teſt acts were not a dead letter, as now they are in England) proteſtant diſſenters from all civil and military employments, they *never touched their right of voting for members of parliament, or ſitting in either houſe*; a point I ſtate, not as approving or condemning, with regard to them, the meaſure of excluſion from employments, but to prove that the diſtinction has been admitted in legiſlature, as, in truth, it is founded in reaſon.

I will not here examine, whether the principles of the Britiſh [the Iriſh] conſtitution, be wiſe or not. I muſt aſſume that they are; and that thoſe who partake the franchiſes which make it, partake of a benefit. They who are excluded from votes (under proper qualifications inherent in the conſtitution that gives them) are excluded, not from the *ſtate*, but from *the Britiſh conſtitution*. They cannot by any poſſibility, whilſt they hear its praiſes continually rung in their ears, and are preſent at the

declaration which is ſo generally and ſo bravely made by thoſe who poſſeſs the privilege—that the beſt blood in their veins ought to be ſhed, to preſerve their ſhare in it; they, the disfranchiſed part, cannot, I ſay, think themſelves in an *happy* ſtate, to be utterly excluded from all its direct and all its conſequential advantages. The popular part of the conſtitution muſt be to them, by far the moſt odious part of it. To them it is not *an actual*, and, if poſſible, ſtill leſs a *virtual* repreſentation. It is indeed the direct contrary. It is power unlimited, placed in the hands of *an adverſe* deſcription, *becauſe it is an adverſe deſcription.* And if they who compoſe the privileged body have not an intereſt, they muſt but too frequently have motives of pride, paſſion, petulance, peeviſh jealouſy, or tyrannick ſuſpicion, to urge them to treat the excluded people with contempt and rigour.

This is not a mere theory; though whilſt men are men, it is a theory that cannot be falſe. I do not deſire to revive all the particulars in my memory; I wiſh them to ſleep for ever; but it is impoſſible I ſhould wholly forget what happened in ſome parts of Ireland, with very few and ſhort intermiſſions, from the year 1761 to the year 1766, both incluſive. In a country of miſerable police, paſſing from the extremes of laxity to the extremes of rigour, among a neglected, and therefore diſorderly populace—if any diſturbance or ſedition,

from

from any grievance real or imaginary, happened to ariſe, it was preſently perverted from its true nature, often criminal enough in itſelf to draw upon it a ſevere appropriate puniſhment; it was metamorphoſed into a conſpiracy againſt the ſtate, and proſecuted as ſuch. Amongſt the catholicks, as being by far the moſt numerous and the moſt wretched, all ſorts of offenders againſt the laws muſt commonly be found. The puniſhment of low people for the offences uſual among low people, would warrant no inference againſt any deſcriptions of religion or of politicks. Men of conſideration from their age, their profeſſion, or their character; men of proprietary landed eſtates, ſubſtantial renters, opulent merchants, phyſicians, and titular biſhops, could not eaſily be ſuſpected of riot in open day, or of nocturnal aſſemblies for the purpoſe of pulling down hedges, making breaches in park walls, firing barns, maiming cattle, and outrages of a ſimilar nature, which characterize the diſorders of an oppreſſed or a licentious populace. But when the evidence given on the trial for ſuch miſdemeanours, qualified them as overt acts of high treaſon, and when witneſſes were found (ſuch witneſſes as they were) to depoſe to the taking of oaths of allegiance by the rioters to the king of France, to their being paid by his money, and embodied and exerciſed under his officers, to overturn the ſtate for the purpoſes of that potentate;

in

in that caſe, the rioters might (if the witneſs was believed) be ſuppoſed only the troops, and perſons more reputable, the leaders and commanders in ſuch a rebellion. All claſſes in the obnoxious deſcription, who could not be ſuſpected in the lower crime of riot, might be involved in the odium, in the ſuſpicion, and ſometimes in the puniſhment, of a higher and far more criminal ſpecies of offence. Theſe proceedings did not ariſe from any one of the popery laws ſince repealed, but from this circumſtance, that when it anſwered the purpoſes of an election party, or a malevolent perſon of influence to forge ſuch plots, the people had no protection. The people of that deſcription have no hold on the gentlemen who aſpire to be popular repreſentatives. The candidates neither love, nor reſpect, nor fear them, individually or collectively. I do not think this evil (an evil amongſt a thouſand others) at this day entirely over; for I conceive I have lately ſeen ſome indication of a diſpoſition perfectly ſimilar to the old one; that is, a diſpoſition to carry the imputation of crimes from perſons to deſcriptions, and wholly to alter the character and quality of the offences themſelves.

This univerſal excluſion ſeems to me a ſerious evil—becauſe many collateral oppreſſions, beſides what I have juſt now ſtated, have ariſen from it. In things of this nature, it would not be either eaſy or proper to quote chapter and verſe; but I have great

great reaſon to believe, particularly ſince the octennial act, that ſeveral have refuſed at all to let their lands to roman catholicks; becauſe it would ſo far diſable them from promoting ſuch intereſts in counties as they were inclined to favour. They who conſider alſo the ſtate of all ſorts of tradeſmen, ſhopkeepers, and particularly publicans in towns, muſt ſoon diſcern the diſadvantages under which thoſe labour who have no votes. It cannot be otherwiſe, whilſt the ſpirit of elections, and the tendencies of human nature continue as they are. If property be artificially ſeparated from franchiſe, the franchiſe muſt in ſome way or other, and in ſome proportion, naturally attract property to it. Many are the collateral diſadvantages amongſt a *privileged* people, which muſt attend on thoſe who have *no* privileges.

Among the rich each individual, with or without a franchiſe, is of importance; the poor and the middling are no otherwiſe ſo, than as they obtain ſome collective capacity, and can be aggregated to ſome corps. If legal ways are not found, illegal will be reſorted to; and ſeditious clubs and confederacies, ſuch as no man living holds in greater horrour than I do, will grow and flouriſh, in ſpite, I am afraid, of any thing which can be done to prevent the evil. Lawful enjoyment is the ſureſt method to prevent unlawful gratification. Where there is property, there will be leſs theft; where

where there is marriage, there will always be leſs fornication.

I have ſaid enough of the queſtion of ſtate, *as it affects the people, merely as ſuch.* But it is complicated with a political queſtion relative to religion, to which it is very neceſſary I ſhould ſay ſomething; becauſe the term *Proteſtant*, which you apply, is too general for the concluſions which one of your accurate underſtanding would wiſh to draw from it; and becauſe a great deal of argument will depend on the uſe that is made of that term.

It is *not* a fundamental part of the ſettlement at the revolution, that the ſtate ſhould be proteſtant without *any qualification of the term.* With a qualification it is unqueſtionably true; not in all its latitude. With the qualification, it was true before the revolution. Our predeceſſors in legiſlation were not ſo irrational (not to ſay impious) as to form an operoſe eccleſiaſtical eſtabliſhment, and even to render the ſtate itſelf in ſome degree ſubſervient to it, when their religion (if ſuch it might be called) was nothing but a mere *negation* of ſome other —without any poſitive idea either of doctrine, diſcipline, worſhip, or morals in the ſcheme which they profeſſed themſelves, and which they impoſed upon others, even under penalties and incapacities —No! No! This never could have been done even by reaſonable atheiſts. They who think religion of no importance to the ſtate have abandoned it

to

to the conſcience, or caprice of the individual; they make no proviſion for it whatſoever, but leave every club to make, or not, a voluntary contribution towards its ſupport, according to their fancies. This would be conſiſtent. The other always appeared to me to be a monſter of contradiction and abſurdity. It was for that reaſon, that ſome years ago I ſtrenuouſly oppoſed the clergy who petitioned, to the number of about three hundred, to be freed from the ſubſcription to the thirty-nine articles, without propoſing to ſubſtitute any other in their place. There never has been a religion of the ſtate (the few years of the parliament only excepted) but that of *the epiſcopal church of England;* the epiſcopal church of England, before the reformation, connected with the ſee of Rome, ſince then, diſconnected and proteſting againſt ſome of her doctrines, and againſt the whole of her authority, as binding in our national church: nor did the fundamental laws of this kingdom (in Ireland it has been the ſame) ever know, at any period, any other church *as an object of eſtabliſhment;* or in that light, any other proteſtant religion. Nay our proteſtant *toleration* itſelf at the revolution, and until within a few years, required a ſignature of thirty-ſix, and a part of the thirty-ſeventh, out of the thirty-nine articles. So little idea had they at the revolution of *eſtabliſhing* proteſtantiſm indefinitely, that they did not

indefinitely

indefinitely *tolerate* it under that name. I do not mean to praiſe that ſtrictneſs, where nothing more than merely religious toleration is concerned. Toleration being a part of moral and political prudence, ought to be tender and large. A tolerant government ought not to be too ſcrupulous in its inveſtigations; but may bear without blame, not only very ill-grounded doctrines, but even many things that are poſitively vices, where they are *adulta et prævalida.* The good of the commonwealth is the rule which rides over the reſt; and to this every other muſt completely ſubmit.

The church of Scotland knows as little of proteſtantiſm *undefined,* as the church of England and Ireland do. She has by the articles of union ſecured to herſelf the perpetual eſtabliſhment of *the Confeſſion of Faith,* and the *Preſbyterian* church government. In England, even during the troubled interregnum, it was not thought fit to eſtabliſh a *negative* religion; but the parliament ſettled the *preſbyterian,* as the church *diſcipline;* the *Directory* as the rule of publick *worſhip;* and the *Weſtminſter catechiſm,* as the inſtitute of *faith.* This is to ſhew, that at no time was the proteſtant religion *undefined,* eſtabliſhed here or any where elſe, as I believe. I am ſure that when the three religions were eſtabliſhed in Germany, they were expreſsly characterized and declared to be the *Evangelick,* the *Reformed,* and the *Catholick;* each of which

has its confeſſion of faith and its ſettled diſcipline; ſo that you always may know the beſt and the worſt of them, to enable you to make the moſt of what is good, and to correct or to qualify, or to guard againſt whatever may ſeem evil or dangerous.

As to the coronation oath, to which you allude, as oppoſite to admitting a roman catholick to the uſe of any franchiſe whatſoever, I cannot think that the king would be perjured if he gave his aſſent to any regulation which parliament might think fit to make, with regard to that affair. The king is bound by law, as clearly ſpecified in ſeveral acts of parliament, to be in communion with the church of England. It is a part of the tenure by which he holds his crown; and though no proviſion was made till the revolution, which could be called poſitive and valid in law, to aſcertain this great principle; I have always conſidered it as in fact fundamental, that the king of England ſhould be of the chriſtian religion, according to the national legal church for the time being. I conceive it was ſo before the reformation. Since the reformation it became doubly neceſſary; becauſe the king is the head of that church; in ſome ſort an eccleſiaſtical perſon; and it would be incongruous and abſurd, to have the head of the church of one faith, and the members of another. The king may *inherit* the crown as a *proteſtant*, but he cannot *hold it* according to law, without being a proteſtant *of the church of England.* Before

Before we take it for granted, that the king is bound by his coronation oath, not to admit any of his catholick ſubjects to the rights and liberties, which ought to belong to them as Engliſhmen (not as religioniſts) or to ſettle the conditions or proportions of ſuch admiſſion by an act of parliament, I wiſh you to place before your eyes that oath itſelf, as it is ſettled in the act of William and Mary.

" Will you to the utmoſt of your power main-
" tain—The laws of God, the true profeſſion of the
" goſpel—and the proteſtant reformed religion *as*
" *it is eſtabliſhed by law*.—And will you preſerve
" unto *biſhops* and clergy, and the churches com-
" mitted to *their* charge, all ſuch rights and pri-
" vileges as by law do, or ſhall appertain to them,
" or any of them.—All this I promiſe to do."

Here are the coronation engagements of the king. In them I do not find one word to preclude his majeſty from conſenting to any arrangement which parliament may make with regard to the civil privileges of any part of his ſubjects.

It may not be amiſs, on account of the light which it will throw on this diſcuſſion, to look a little more narrowly into the matter of that oath —in order to diſcover how far it has hitherto operated, or how far in future it ought to operate,

as

as a bar to any proceedings of the crown and parliament in favour of thoſe, againſt whom it may be ſuppoſed that the king has engaged to ſupport the proteſtant church of England, in the two kingdoms, in which it is eſtabliſhed by law. Firſt, the king ſwears he will maintain to the utmoſt of his power, "the laws of God." I ſuppoſe it means the natural moral laws.—Secondly, he ſwears to maintain "the true profeſſion of the goſpel." By which I ſuppoſe is underſtood *affirmatively* the chriſtian religion.—Thirdly, that he will maintain "the proteſtant reformed religion." This leaves me no power of ſuppoſition or conjecture; for that proteſtant reformed religion is defined and deſcribed by the ſubſequent words, "eſtabliſhed by law," and in this inſtance to define it beyond all poſſibility of doubt, he "ſwears to maintain the biſhops "and clergy, and the churches committed to their "charge," in their rights preſent and future.

The oath as effectually prevents the king from doing any thing to the prejudice of the church in favour of ſectaries, Jews, Mahometans, or plain avowed infidels; as if he ſhould do the ſame thing in favour of the catholicks. You will ſee, that it is the ſame proteſtant church, ſo deſcribed, that the king is to maintain and communicate with, according to the act of ſettlement of the 12th and 13th of William III. The act of the 5th of Anne, made in proſpect of the union, is entitled, "An act for

"ſecuring the church of England as by law eſtab-"liſhed." It meant to guard the church implicitly againſt any other mode of proteſtant religion which might creep in by means of the union. It proves beyond all doubt, that the legiſlature did not mean to guard the church on one part only, and to leave it defenceleſs and expoſed upon every other. This church, in that act, is declared to be "fundamental and eſſential" for ever, in the conſtitution of the united kingdom, ſo far as England is concerned; and I ſuppoſe as the law ſtands, even ſince the independence, it is ſo in Ireland.

All this ſhews, that the religion which the king is bound to maintain, has a poſitive part in it as well as a negative; and that the poſitive part of it (in which we are in perfect agreement with the catholicks and with the church of Scotland) is infinitely the moſt valuable and eſſential. Such an agreement we had with proteſtant diſſenters in England, of thoſe deſcriptions who came under the toleration act of king William and queen Mary; an act coeval with the revolution; and which ought, on the principles of the gentlemen who oppoſe the relief to the catholicks, to have been held ſacred and unalterable. Whether we agree with the preſent proteſtant diſſenters in the points at the revolution held eſſential and fundamental among chriſtians, or in any other fundamental, at preſent it is impoſſible for us to know; becauſe, at their own

very

very earneſt deſire, we have repealed the toleration act of William and Mary, and diſcharged them from the ſignature required by that act; and becauſe, for the far greater part, they publickly declare againſt all manner of confeſſions of faith, even the *conſenſus*.

For reaſons forcible enough at all times, but at this time particularly forcible with me, I dwell a little the longer upon this matter, and take the more pains, to put us both in mind that it was not ſettled at the revolution, that the ſtate ſhould be proteſtant, in the latitude of the term, but in a defined and limited ſenſe only, and that, in that ſenſe only, the king is ſworn to maintain it. To ſuppoſe that the king has ſworn with his utmoſt power to maintain what it is wholly out of his power to diſcover, or which, if he could diſcover, he might diſcover to conſiſt of things directly contradictory to each other, ſome of them perhaps impious, blaſphemous, and ſeditious upon principle, would be not only a groſs, but a moſt miſchievous abſurdity. If mere diſſent from the church of Rome be a merit, he that diſſents the moſt perfectly is the moſt meritorious. In many points we hold ſtrongly with that church. He that diſſents throughout with that church will diſſent with the church of England, and then it will be a part of his merit that he diſſents with ourſelves;—a whimſical ſpecies of merit for any ſet of men to eſtabliſh. We

quarrel to extremity with thoſe, who we know agree with us in many things, but we are to be ſo malicious even in the principle of our friendſhips, that we are to cheriſh in our boſom thoſe who accord with us in nothing, becauſe whilſt they deſpiſe ourſelves, they abhor even more than we do, thoſe with whom we have ſome diſagreement. A man is certainly the moſt perfect proteſtant, who proteſts againſt the whole chriſtian religion. Whether a perſon's having no chriſtian religion be a title to favour, in excluſion to the largeſt deſcription of chriſtians who hold all the doctrines of chriſtianity, though holding along with them ſome errours and ſome ſuperfluities, is rather more than any man who has not become recreant and apoſtate from his baptiſm, will, I believe, chooſe to affirm. The countenance given from a ſpirit of controverſy to that negative religion, may, by degrees, encourage light and unthinking people to a total indifference to every thing poſitive in matters of doctrine; and, in the end, of practice too. If continued, it would play the game of that ſort of active, proſelytizing, and perſecuting atheiſm, which is the diſgrace and calamity of our time, and which we ſee to be as capable of ſubverting a government, as any mode can be, of miſguided zeal for better things.

Now let us fairly ſee what courſe has been taken relative to thoſe, againſt whom, in part at leaſt, the

the king has ſworn to maintain a church, *poſitive in its doctrine and its diſcipline.* The firſt thing done, even when the oath was freſh in the mouth of the ſovereigns, was to give a toleration to proteſtant diſſenters, *whoſe doctrines they aſcertained.* As to the mere civil privileges which the diſſenters held as ſubjects before the revolution, theſe were not touched at all. The laws have fully permitted, in a qualification for all offices, to ſuch diſſenters, *an occaſional conformity;* a thing I believe ſingular, where teſts are admitted. The act called the Teſt Act itſelf, is, with regard to them, grown to be hardly any thing more than a dead letter. Whenever the diſſenters ceaſe by their conduct to give any alarm to the government, in church and ſtate, I think it very probable that even this matter, rather diſguſtful than inconvenient to them, may be removed, or at leaſt ſo modified as to diſtinguiſh the qualification to thoſe offices which really *guide the ſtate,* from thoſe which are *merely inſtrumental;* or that ſome other and better teſts may be put in their place.

So far as to England. In Ireland you have outran us. Without waiting for an Engliſh example, you have totally, and without any modification whatſoever, repealed the teſt as to proteſtant diſſenters. Not having the repealing act by me, I ought not to ſay poſitively that there is no exception in it; but if it be what I ſuppoſe it is, you

know very well, that a Jew in religion, or a Mahometan, or even *a publick, declared atheiſt*, and blaſphemer, is perfectly qualified to be lord lieutenant, a lord juſtice, or even keeper of the king's conſcience; and by virtue of his office (if with you it be as it is with us) adminiſtrator to a great part of the eccleſiaſtical patronage of the crown.

Now let us deal a little fairly. We muſt admit, that proteſtant diſſent was one of the quarters from which danger was apprehended at the revolution, and againſt which a part of the coronation oath was peculiarly directed. By this unqualified repeal, you certainly did not mean to deny that it was the duty of the crown to preſerve the church againſt proteſtant diſſenters; or taking this to be the true ſenſe of the two revolution acts of king William, and of the previous and ſubſequent union acts of queen Anne, you did not declare by this moſt unqualified repeal, by which you broke down all the barriers, not invented, indeed, but carefully preſerved at the revolution; you did not then and by that proceeding declare, that you had adviſed the king to perjury towards God, and perfidy towards the church. No! far, very far from it! you never would have done it, if you did not think it could be done with perfect repoſe to the royal conſcience, and perfect ſafety to the national eſtabliſhed religion. You did this upon a full conſideration of the circumſtances of your country. Now

if

if circumſtances required it, why ſhould it be contrary to the king's oath, his parliament judging on thoſe circumſtances, to reſtore to his catholick people, in ſuch meaſure, and with ſuch modifications as the publick wiſdom ſhall think proper to add, *ſome part* in theſe franchiſes which they formerly had held without any limitation at all, and which, upon no ſort of urgent reaſon at the time, they were deprived of? If ſuch means can with any probability be ſhewn, from circumſtances, rather to add ſtrength to our mixed eccleſiaſtical and ſecular conſtitution, than to weaken it; ſurely they are means infinitely to be preferred to penalties, incapacities, and proſcriptions continued from generation to generation. They are perfectly conſiſtent with the other parts of the coronation oath, in which the king ſwears to maintain "the laws "of God and the true profeſſion of the goſpel, and "to govern the people according to the ſtatutes "in parliament agreed upon, and the laws and "cuſtoms of the realm." In conſenting to ſuch a ſtatute, the crown would act at leaſt as agreeable to the laws of God, and to the true profeſſion of the goſpel, and to the laws and cuſtoms of the kingdom, as George I. did when he paſſed the ſtatute, which took from the body of the people, every thing which, to that hour, and even after the monſtrous acts of the 2d and 8th of Anne, (the objects of our common hatred) they ſtill enjoyed inviolate.

It is hard to diſtinguiſh with the laſt degree of accuracy, what laws are fundamental, and what not. However there is a diſtinction between them authorized by the writers on juriſprudence, and recogniſed in ſome of our ſtatutes. I admit the acts of king William and queen Anne to be fundamental, but they are not the only fundamental laws. The law called *Magna Charta*, by which it is provided, that "no man ſhall be diſſeized of his liberties and free cuſtoms but by the judgment of his "peers, or the laws of the land," (meaning clearly for ſome proved crime tried and adjudged) I take to be a *fundamental law*. Now, although this magna charta, or ſome of the ſtatutes eſtabliſhing it, provide that that law ſhall be perpetual, and all ſtatutes contrary to it ſhall be void, yet I cannot go ſo far as to deny the authority of ſtatutes made in defiance of magna charta and all its principles. This however I will ſay, that it is a very venerable law, made by very wiſe and learned men, and that the legiſlature, in their attempt to perpetuate it, even againſt the authority of future parliaments, have ſhewn their judgment that it is *fundamental*, on the ſame grounds, and in the ſame manner that the act of the fifth of Anne has conſidered, and declared the eſtabliſhment of the church of England to be fundamental. Magna charta, which ſecured theſe franchiſes to the ſubjects, regarded the rights of freeholders in counties to be as much a

fundamental

fundamental part of the conſtitution, as the eſtabliſhment of the church of England was thought either at that time, or in the act of king William, or in the act of queen Anne.

The churchmen, who led in that tranſaction, certainly took care of the material intereſt of which they were the natural guardians. It is the firſt article of magna charta, "that the church of England "ſhall be free," &c. &c. But at that period churchmen, and barons, and knights, took care of the franchiſes and free cuſtoms of the people too. Thoſe franchiſes are part of the conſtitution itſelf, and inſeperable from it. It would be a very ſtrange thing if there ſhould not only exiſt anomalies in our laws, a thing not eaſy to prevent, but, that the fundamental parts of the conſtitution ſhould be perpetually and irreconcileably at variance with each other. I cannot perſuade myſelf that the lovers of our church are not as able to find effectual ways of reconciling its ſafety with the franchiſes of the people, as the eccleſiaſticks of the thirteenth century were able to do; I cannot conceive how any thing worſe can be ſaid of the proteſtant religion of the church of England than this, that wherever it is judged proper to give it a legal eſtabliſhment, it becomes neceſſary to deprive the body of the people, if they adhere to their old opinions, of "their liberties and of all their free cuſ"toms," and to reduce them to a ſtate of *civil* ſervitude,

There

There is no man on earth, I believe, more willing than I am, to lay it down as a fundamental of the conſtitution, that the church of England ſhould be united and even identified with it; but allowing this, I cannot allow that all *laws of regulation*, made from time to time, in ſupport of that fundamental law, are, of courſe, equally fundamental and equally unchangeable. This would be to confound all the branches of legiſlation and of juriſprudence.—The *crown* and the perſonal ſafety of the monarch are *fundamentals* in our conſtitution; yet, I hope that no man regrets, that the rabble of ſtatutes got together during the reign of Henry the Eighth, by which treaſons are multiplied with ſo prolifick an energy, have been all repealed in a body; although they were all, or moſt of them, made in ſupport of things truly fundamental in our conſtitution. So were ſeveral of the acts by which the crown exerciſed its ſupremacy; ſuch as the act of Elizabeth for making the *high commiſſion courts*, and the like; as well as things made treaſon in the time of Charles II. None of this ſpecies of *ſecondary and ſubſidiary laws* have been held fundamental. They have yielded to circumſtances; particularly where they were thought, even in their conſequences, or obliquely, to affect other fundamentals. How much more, certainly, ought they to give way, when, as in our caſe, they affect, not here and there, in ſome particular point, or in

their

their conſequence, but univerſally, collectively, and directly, the fundamental franchiſes of a people, equal to the whole inhabitants of ſeveral reſpectable kingdoms and ſtates; equal to the ſubjects of the kings of Sardinia or of Denmark; equal to thoſe of the United Netherlands; and more than are to be found in all the ſtates of Switzerland. This way of proſcribing men by whole nations, as it were, from all the benefits of the conſtitution to which they were born, I never can believe to be politick or expedient, much leſs neceſſary for the exiſtence of any ſtate or church in the world: Whenever I ſhall be convinced, which will be late and reluctantly, that the ſafety of the church is utterly inconſiſtent with all the civil rights whatſoever of the far larger part of the inhabitants of our country, I ſhall be extremely ſorry for it; becauſe I ſhall think the church to be truly in danger. It is putting things into the poſition of an ugly alternative, into which I hope in God they never will be put.

I have ſaid moſt of what occurs to me on the topicks you touch upon, relative to the religion of the king, and his coronation oath. I ſhall conclude the obſervations which I wiſhed to ſubmit to you on this point, by aſſuring you, that I think you the moſt remote that can be conceived from the metaphyſicians of our times, who are the moſt fooliſh of men, and who, dealing in univerſals and eſſences,

eſſences, ſee no difference between more and leſs; and who of courſe would think that the reaſon of the law which obliged the king to be a communicant of the church of England, would be as valid to exclude a catholick from being an exciſeman, or to deprive a man who has five hundred a year, under that deſcription, from voting on a par with a factitious proteſtant diſſenting freeholder of forty ſhillings.

Recollect, my dear friend, that it was a fundamental principle in the French monarchy, whilſt it ſtood, that the ſtate ſhould be catholick; yet the edict of Nantz gave, not a full eccleſiaſtical, but a complete civil *eſtabliſhment*, with places of which only they were capable, to the calviniſts of France; and there were very few employments indeed of which they were not capable. The world praiſed the cardinel de Richelieu, who took the firſt opportunity to ſtrip them of their fortified places and cautionary towns. The ſame world held and does hold in execration (ſo far as that buſineſs is concerned) the memory of Louis the Fourteenth, for the total repeal of that favourable edict; though the talk of "fundamental laws, eſtabliſhed religion, religion of the prince, ſafety to the ſtate," &c. &c. was then as largely held, and with as bitter a revival of the animoſities of the civil confuſions during the ſtruggles between the parties, as now they can be in Ireland.

Perhaps

Perhaps there are perſons who think that the ſame reaſons does not hold when the religious relation of the ſovereign and ſubject is changed; but they who have their ſhop full of falſe weights and meaſures, and who imagine that the adding or taking away the name of Proteſtant or Papiſt, Guelph or Ghibelline, alters all the principles of equity, policy, and prudence, leave us no common data upon which we can reaſon. I therefore paſs by all this, which on you will make no impreſſion, to come to what ſeems to be a ſerious conſideration in your mind; I mean the dread you expreſs of "reviewing, for the purpoſe of altering, the "*principles of the revolution.*" This is an intereſting topick; on which I will, as fully as your leiſure and mine permits, lay before you the ideas I have formed.

Firſt, I cannot poſſibly confound in my mind all the things which were done at the revolution, with the *principles* of the revolution. As in moſt great changes, many things were done from the neceſſities of the time, well or ill underſtood, from paſſion or from vengeance, which were not only not perfectly agreeable to its principles, but in the moſt direct contradiction to them. I ſhall not think that the *deprivation of ſome millions of people of all the rights of citizens, and all intereſt in the conſtitution, in and to which they were born*, was a thing conformable to the *declared principles* of the revolution.

revolution. This I am ſure is true relatively to England (where the operation of theſe *anti-principles* comparatively were of little extent) and ſome of our late laws, in repealing acts made immediately after the revolution, admit that ſome things then done were not done in the true ſpirit of the revolution. But the revolution operated differently in England and Ireland, in many, and theſe eſſential particulars. Suppoſing the principles to have been altogether the ſame in both kingdoms, by the application of thoſe principles to very different objects, the whole ſpirit of the ſyſtem was changed, not to ſay reverſed. In England it was the ſtruggle of the *great body* of the people for the eſtabliſhment of their liberties, againſt the efforts of a very *ſmall faction*, who would have oppreſſed them. In Ireland it was the eſtabliſhment of the power of the ſmaller number, at the expence of the civil liberties and properties of the far greater part; and at the expence of the political liberties of the whole. It was, to ſay the truth, not a revolution, but a conqueſt; which is not to ſay a great deal in its favour. To inſiſt on every thing done in Ireland at the revolution, would be to inſiſt on the ſevere and jealous policy of a conqueror, in the crude ſettlement of his new acquiſition, as a *permanent* rule for its future government. This, no power, in no country that ever I heard of, has done or profeſſed to do—except in Ireland; where it is done,

done, and poſſibly by ſome people will be profeſſed. Time has, by degrees, in all other places and periods, blended and coalited the conquered with the conquerors. So, after ſome time, and after one of the moſt rigid conqueſts that we read of in hiſtory, the Normans ſoftened into the Engliſh. I wiſh you to turn your recollection to the fine ſpeech of Cerealis to the Gauls, made to diſſuade them from revolt. Speaking of the Romans,—"*Nos* "quamvis toties laceſſiti, jure victoriæ id ſolum "vobis addidimus, quo pacem tueremur; nam ne- "que quies gentium ſine armis; neque arma ſine "ſtipendiis; neque ſtipendia ſine tributis, haberi "queant. *Cætera in communi ſita ſunt:* ipſi ple- "rumque noſtris exercitibus *preſidetis:* ipſi has "aliaſque provincias *regitis: nil ſeperatum clau-* "*ſumve*—Proinde pacem et urbem, quam *victores* "*victique eodem jure obtinemus,* amate, colite.' You will conſider, whether the arguments uſed by that Roman to theſe Gauls, would apply to the caſe in Ireland; and whether you could uſe ſo plauſible a preamble to any ſevere warning you might think it proper to hold out to thoſe who ſhould reſort to ſedition inſtead of ſupplication, to obtain any object that they may purſue with the governing power.

For a much longer period than that which had ſufficed to blend the Romans with the nation to which of all others they were the moſt adverſe, the

the proteſtants ſettled in Ireland, conſidered themſelves in no other light than that of a ſort of a colonial garriſon, to keep the natives in ſubjection to the other ſtate of Great Britain. The whole ſpirit of the revolution in Ireland, was that of not the mildeſt conqueror. In truth, the ſpirit of thoſe proceedings did not commence at that æra, nor was religion of any kind their primary object. What was done, was not in the ſpirit of a conteſt between two religious factions; but between two adverſe nations. The ſtatutes of Kilkenny ſhew, that the ſpirit of the popery laws, and ſome even of their actual proviſions, as applied between Engliſhry and Iriſhry, had exiſted in that haraſſed country before the words proteſtant and papiſt were heard of in the world. If we read baron Finglaſs, Spenſer, and Sir John Davis, we cannot miſs the true genius and policy of the Engliſh government there before the revolution, as well as during the whole reign of queen Elizabeth. Sir John Davis boaſts of the benefits received by the natives, by extending to them the Engliſh law, and turning the whole kingdom into ſhire ground. But the appearance of things alone was changed. The original ſcheme was never deviated from for a ſingle hour. Unheard-of confiſcations were made in the northern parts, upon grounds of plots and conſpiracies, never proved upon their ſuppoſed authors. The war of chicane ſucceeded to the war of arms

and

and of hoſtile ſtatutes; and a regular ſeries of operations was carried on, particularly from Chicheſter's time, in the ordinary courts of juſtice, and by ſpecial commiſſions and inquiſitions; firſt, under pretence of tenures, and then of titles in the crown, for the purpoſe of the total extirpation of the intereſt of the natives in their own ſoil—until this ſpecies of ſubtle ravage, being carried to the laſt exceſs of oppreſſion and inſolence under lord Strafford, it kindled the flames of that rebellion which broke out in 1641. By the iſſue of that war, by the turn which the earl of Clarendon gave to things at the reſtoration, and by the total reduction of the kingdom of Ireland in 1691, the ruin of the native Iriſh, and in a great meaſure too, of the firſt races of the Engliſh, was completely accompliſhed. The new Engliſh intereſt was ſettled with as ſolid a ſtability as any thing in human affairs can look for. All the penal laws of that unparalleled code of oppreſſion, which were made after the laſt event, were manifeſtly the effects of national hatred and ſcorn towards a conquered people; whom the victors delighted to trample upon, and were not at all afraid to provoke. They were not the effect of their fears but of their ſecurity. They who carried on this ſyſtem, looked to the irreſiſtible force of Great Britain for their ſupport in their acts of power. They were quite certain, that no complaints of the

natives would be heard on this ſide of the water, with any other ſentiments than thoſe of contempt and indignation. Their cries ſerved only to augment their torture. Machines, which could anſwer their purpoſes ſo well, muſt be of an excellent contrivance. Indeed in England, the double name of the complainants, Iriſh and Papiſts (it would be hard to ſay, which ſingly was the moſt odious) ſhut up the hearts of every one againſt them. Whilſt that temper prevailed, and it prevailed in all its force to a time within our memory, every meaſure was pleaſing and popular, juſt in proportion as it tended to haraſs and ruin a ſet of people, who were looked upon as enemies to God and man; and indeed as a race of bigoted ſavages who were a diſgrace to human nature itſelf.

However, as the Engliſh in Ireland began to be domiciliated, they began alſo to recollect that they had a country. The *Engliſh intereſt*, at firſt by faint and almoſt inſenſible degrees, but at length openly and avowedly became an *independent Iriſh intereſt*; full as independent as it could ever have been, if it had continued in the perſons of the native Iriſh; and it was maintained with more ſkill, and more conſiſtency, than probably it would have been in theirs. With their views, the *Anglo-Iriſh* changed their maxims—it was neceſſary to demonſtrate to the whole people, that there was ſomething,

at

at leaſt, of a common intereſt, combined with the independency, which was to become the object of common exertions. The mildneſs of government produced the firſt relaxation towards the Iriſh; the neceſſities, and, in part too, the temper that predominated at this great change, produced the ſecond and the moſt important of theſe relaxations. Engliſh government, and Iriſh legiſlature, felt jointly the propriety of this meaſure. The Iriſh parliament and nation became independent.

The true revolution to you, that which moſt intrinſically and ſubſtantially reſembled the Engliſh revolution of 1688, was the Iriſh revolution of 1782. The Iriſh parliament of 1782, bore little reſemblance to that which ſat in that kingdom, after the period of the firſt of theſe revolutions. It bore a much nearer reſemblance to that which ſat under king James. The change of the parliament in 1782 from the character of the parliament which, as a token of its indignation, had burned all the journals indiſcriminately of the former parliament in the council chamber, was very viſible. The addreſs of king William's parliament, the parliament which aſſembled after the revolution, amongſt other cauſes of complaint (many of them ſufficiently juſt) complains of the repeal by their predeceſſors of Poyning's law; no abſolute idol with the parliament of 1782.

Great Britain, finding the Anglo-Iriſh highly

animated with a ſpirit, which had indeed ſhewn itſelf before, though with little energy, and many interruptions, and therefore ſuffered a multitude of uniform precedents to be eſtabliſhed againſt it, acted, in my opinion, with the greateſt temperance and wiſdom. She ſaw that the diſpoſition of the *leading part* of the nation would not permit them to act any longer the part of a *garriſon*. She ſaw, that true policy did not require that they ever ſhould have appeared in that character; or if it had done ſo formerly, the reaſons had now ceaſed to operate. She ſaw that the Iriſh of her race, were reſolved to build their conſtitution and their politicks upon another bottom. With thoſe things under her view, ſhe inſtantly complied with the whole of your demands, without any reſervation whatſoever. She ſurrendered that boundleſs ſuperiority, for the preſervation of which, and the acquiſition, ſhe had ſupported the Engliſh colonies in Ireland for ſo long a time, and ſo vaſt an expence (according to the ſtandard of thoſe ages) of her blood and treaſure.

When we bring before us the matter which hiſtory affords for our ſelection, it is not improper to examine the ſpirit of the ſeveral precedents, which are candidates for our choice. Might it not be as well for your ſtateſmen, on the other ſide of the water, to take an example from this latter, and ſurely more conciliatory revolution, as a pattern

for your conduct towards your own fellow-citizens, than from that of 1688, when a paramount ſovereignty over both you and them, was more loftily claimed, and more ſternly exerted, than at any former, or at any ſubſequent period? Great Britain in 1782, roſe above the vulgar ideas of policy, the ordinary jealouſies of ſtate, and all the ſentiments of national pride and national ambition. If ſhe had been more diſpoſed than, I thank God for it, ſhe was, to liſten to the ſuggeſtions of paſſion, than to the dictates of prudence; ſhe might have urged, the principles, the maxims, the policy, the practice of the revolution, againſt the demands of the leading deſcription in Ireland, with full as much plauſibility, and full as good a grace, as any amongſt them can poſſibly do, againſt the ſupplications of ſo vaſt and extenſive a deſcription of their own people.

A good deal too, if the ſpirit of domination and excluſion had prevailed in England, might have been excepted againſt ſome of the means then employed in Ireland, whilſt her claims were in agitation. They were, at leaſt, as much out of ordinary courſe, as thoſe which are now objected againſt admitting your people to any of the benefits of an Engliſh conſtitution. Moſt certainly, neither with you, nor here, was any one ignorant of what was at that time ſaid, written, and done. But on all ſides we ſeparated the means from the end: and

we ſeparated the cauſe of the moderate and rational, from the ill-intentioned and ſeditious; which on ſuch occaſions are ſo frequently apt to march together. At that time, on your part, you were not afraid to review what was done at the revolution of 1688; and what had been continued during the ſubſequent flouriſhing period of the Britiſh empire. The change then made was a great and fundamental alteration. In the execution, it was an operoſe buſineſs on both ſides of the water. It required the repeal of ſeveral laws; the modification of many, and a new courſe to be given to an infinite number of legiſlative, judicial, and official practices and uſages in both kingdoms. This did not frighten any of us. You are now aſked to give, in ſome moderate meaſure, to your fellow-citizens, what Great Britain gave to you, without any meaſure at all. Yet, notwithſtanding all the difficulties at the time, and the apprehenſions which ſome very well-meaning people entertained, through the admirable temper in which this revolution (or reſtoration in the nature of a revolution) was conducted in both kingdoms, it has hitherto produced no inconvenience to either; and I truſt, with the continuance of the ſame temper, that it never will. I think that this ſmall inconſiderable change (relative to an excluſive ſtatute not made at the revolution) for reſtoring the people to the benefits, from which the green

foreneſs

forenefs of a civil war had not excluded them, will be productive of no fort of mifchief whatfoever. Compare what was done in 1782, with what is wifhed in 1792; conſider the ſpirit of what has been done at the ſeveral periods of reformation; and weigh maturely, whether it be exactly true that conciliatory conceſſions are of good policy only in diſcuſſions between nations; but that among deſcriptions in the ſame nation, they muſt always be irrational and dangerous. What have you ſuffered in your peace, your proſperity, or, in what ought ever to be dear to a nation, your glory, by the laſt act by which you took the property of that people under the protection of the *laws*? What reaſons have you to dread the conſequences of admitting the people poſſeſſing that property, to ſome ſhare in the protection of the *conſtitution*?

I do not mean to trouble you with any thing to remove the objections, I will not call them arguments, againſt this meaſure, taken from a ferocious hatred to all that numerous deſcription of chriſtians. It would be to pay a poor compliment to your underſtanding or your heart. Neither *your* religion, nor *your* politicks, conſiſt "in odd perverſe "antipathies." You are not reſolved to perſevere in proſcribing from the conſtitution, ſo many millions of your countrymen, becauſe in contradiction to experience and to common ſenſe, you think proper to imagine, that their principles are

ſubverſive of common human ſociety. To that I ſhall only ſay, that whoever has a temper, which can be gratified by indulging himſelf in theſe good-natured fancies, ought to do a great deal more. For an excluſion from the privileges of Britiſh ſubjects, is not a cure for ſo terrible a diſtemper of the human mind, as they are pleaſed to ſuppoſe in their countrymen. I rather conceive a participation in thoſe privileges to be itſelf a remedy for ſome mental diſorders.

As little ſhall I detain you with matters that can as little obtain admiſſion into a mind like yours; ſuch as the fear, or pretence of fear, that in ſpite of your own power, and the trifling power of Great Britain, you may be conquered by the pope; or that this commodious bugbear (who is of infinitely more uſe to thoſe who pretend to fear, than to thoſe who love him) will abſolve his majeſty's ſubjects from their allegiance, and ſend over the cardinal of York to rule you as his viceroy; or that, by the plenitude of his power, he will take that fierce tyrant the king of the French, out of his jail, and arm that nation (which on all occaſions treats his holineſs ſo very politely) with his bulls and pardons, to invade poor old Ireland, to reduce you to popery and ſlavery, and to force the free-born, naked feet of your people into the wooden ſhoes of that arbitrary monarch. I do not believe that diſcourſes of this kind are held, or

that

that any thing like them will be held, by any who walk about without a keeper. Yet, I confeſs, that on occaſions of this nature, I am the moſt afraid of the weakeſt reaſonings; becauſe they diſcover the ſtrongeſt paſſions. Theſe things will never be brought out in definite propoſitions. They would not prevent pity towards any perſons; they would only cauſe it for thoſe who were capable of talking in ſuch a ſtrain. But I know, and am ſure, that ſuch ideas as no man will diſtinctly produce to another, or hardly venture to bring in any plain ſhape to his own mind—he will utter in obſcure, ill-explained doubts, jealouſies, ſurmiſes, fears, and apprehenſions; and that in ſuch a fog, they will appear to have a good deal of ſize, and will make an impreſſion; when, if they were clearly brought forth and defined, they would meet with nothing but ſcorn and deriſion.

There is another way of taking an objection to this conceſſion, which I admit to be ſomething more plauſible, and worthy of a more attentive examination. It is, that this numerous claſs of people is mutinous, diſorderly, prone to ſedition, and eaſy to be wrought upon by the inſidious arts of wicked and deſigning men; that conſcious of this, the ſober, rational and wealthy part of that body, who are totally of another character, do by no means deſire any participation for themſelves, or for any one elſe of their deſcription, in the franchiſes of the Britiſh conſtitution.

I have

I have great doubt of the exactneſs of any part of this obſervation. But let us admit that the body of the catholicks are prone to ſedition (of which, as I have ſaid, I entertain much doubt) is it poſſible that any fair obſerver or fair reaſoner, can think of confining this deſcription to them only? I believe it to be poſſible for men to be mutinous and ſeditious who feel no grievance: but I believe no man will aſſert ſeriouſly, that when people are of a turbulent ſpirit, the beſt way to keep them in order, is to furniſh them with ſomething ſubſtantial to complain of.

You ſeparate very properly the ſober, rational, and ſubſtantial part of their deſcription from the reſt. You give, as you ought to do, weight only to the former. What I have always thought of the matter is this—that the moſt poor, illiterate, and uninformed creatures upon earth, are judges of a *practical* oppreſſion. It is a matter of feeling; and as ſuch perſons generally have felt moſt of it, and are not of an over-lively ſenſibility, they are the beſt judges of it. But for the *real cauſe*, or the *appropriate remedy*, they ought never to be called into council about the one or the other. They ought to be totally ſhut out; becauſe their reaſon is weak; becauſe when once rouſed, their paſſions are ungoverned; becauſe they want information; becauſe the ſmallneſs of the property which individually they poſſeſs, renders them leſs

attentive

attentive to the conſequence of the meaſures they adopt in affairs of moment. When I find a great cry amongſt the people who ſpeculate little, I think myſelf called ſeriouſly to examine into it, and to ſeparate the real cauſe from the ill effects of the paſſion it may excite; and the bad uſe which artful men may make of an irritation of the popular mind. Here we muſt be aided by perſons of a contrary character; we muſt not liſten to the deſperate or the furious; but it is therefore neceſſary for us to diſtinguiſh who are the *really* indigent, and the *really* intemperate. As to the perſons who deſire this part in the conſtitution, I have no reaſon to imagine that they are men who have nothing to loſe and much to look for in publick confuſion. The popular meeting from which apprehenſions have been entertained, has aſſembled. I have accidentally had converſation with two friends of mine, who know ſomething of the gentleman who was put into the chair upon that occaſion; one of them has had money tranſactions with him; the other from curioſity, has been to ſee his concerns; they both tell me he is a man of ſome property; but you muſt be the beſt judge of this, who by your office are likely to know his tranſactions. Many of the others are certainly perſons of fortune; and all, or moſt, fathers of families, men in reſpectable ways of life, and ſome of them far from contemptible, either for their information,

or

or for the abilities which they have ſhewn in the diſcuſſion of their intereſts. What ſuch men think it for their advantage to acquire, ought not, *prima facia*, to be conſidered as raſh or heady, or incompatible with the publick ſafety or welfare.

I admit, that men of the beſt fortunes and reputations, and of the beſt talents and education too, may, by accident, ſhew themſelves furious and intemperate in their deſires. This is a great misfortune when it happens; for the firſt preſumptions are undoubtedly in their favour. We have two ſtandards of judging in this caſe of the ſanity and ſobriety of any proceedings; of unequal certainty indeed, but neither of them to be neglected: the firſt is by the value of the object ſought, the next is by the means through which it is purſued.

The object purſued by the catholicks is, I underſtand, and have all along reaſoned as if it were ſo, in ſome degree or meaſure to be again admitted to the franchiſes of the conſtitution. Men are conſidered as under ſome derangement of their intellects, when they ſee good and evil in a different light from other men; when they chooſe naufeous and unwholeſome food; and reject ſuch as to the reſt of the world ſeems pleaſant, and is known to be nutritive. I have always conſidered the Britiſh conſtitution, not to be a thing in itſelf ſo vitious, as that none but men of deranged underſtanding,

and

and turbulent tempers, could deſire a ſhare in it: on the contrary, I ſhould think very indifferently of the underſtanding and temper of any body of men, who did not wiſh to partake of this great and acknowledged benefit. I cannot think quite ſo favourably either of the ſenſe or temper of thoſe, if any ſuch there are, who would voluntarily perſuade their brethren that the object is not fit for them, or they for the object. Whatever may be my thoughts concerning them, I am quite ſure, that they who hold ſuch language muſt forfeit all credit with the reſt. This is infallible—If they conceive any opinion of their judgment, they cannot poſſibly think them their friends. There is, indeed, one ſuppoſition, which would reconcile the conduct of ſuch gentlemen to ſound reaſon, and to the pureſt affection towards their fellow-ſufferers; it is, that they act under the impreſſion of a well-grounded fear for the general intereſt. If they ſhould be told, and ſhould believe the ſtory, that if they dare attempt to make their condition better, they will infallibly make it worſe—that if they aim at obtaining liberty, they will have their ſlavery doubled—that their endeavour to put themſelves upon any thing which approaches towards an equitable footing with their fellow-ſubjects, will be conſidered as an indication of a ſeditious and rebellious diſpoſition—ſuch a view of things ought perfectly to reſtore the gentlemen, who ſo anxiouſly

diſſuade

diſſuade their countrymen from wiſhing a participation with the privileged part of the people, to the good opinion of their fellows. But what is to *them* a very full juſtification, is not quite ſo honourable to that power from whoſe maxims and temper ſo good a ground of rational terrour is furniſhed. I think arguments of this kind will never be uſed by the friends of a government which I greatly reſpect; or by any of the leaders of an oppoſition whom I have the honour to know, and the ſenſe to admire. I remember Polybius tells us, that during his captivity in Italy as a Peloponneſian hoſtage—he ſolicited old Cato to intercede with the ſenate for his releaſe, and that of his countrymen: this old politician told him that he had better continue in his preſent condition, however irkſome, than apply again to that formidable authority for their relief; that he ought to imitate the wiſdom of his countryman Ulyſſes, who, when he was once out of the den of the Cyclops, had too much ſenſe to venture again into the ſame cavern. But I conceive too high an opinion of the Iriſh legiſlature to think that they are to their fellow-citizens, what the grand oppreſſors of mankind were to a people whom the fortune of war had ſubjected to their power. For though Cato could uſe ſuch a parallel with regard to his ſenate, I ſhould really think it nothing ſhort of impious, to compare an Iriſh parliament to a den of Cyclops. I hope the people,

people, both here and with you, will always apply to the houſe of commons with becoming modeſty; but at the ſame time with minds unembarraſſed with any ſort of terrour.

As to the means which the catholicks employ to obtain this object, ſo worthy of ſober and rational minds. I do admit that ſuch means may be uſed in the purſuit of it, as may make it proper for the legiſlature, in this caſe, to defer their compliance until the demandants are brought to a proper ſenſe of their duty. A conceſſion in which the governing power of our country loſes its dignity, is dearly bought even by him who obtains his object. All the people have a deep intereſt in the dignity of parliament. But as the refuſal of franchiſes which are drawn out of the firſt vital ſtamina of the Britiſh conſtitution, is a very ſerious thing, we ought to be very ſure, that the manner and ſpirit of the application is offenſive and dangerous indeed, before we ultimately reject all applications of this nature, The mode of application, I hear, is by petition. It is the manner in which all the ſovereign powers of the world are approached; and I never heard (except in the caſe of James the Second) that any prince conſidered this manner of ſupplication to be contrary to the humility of a ſubject, or to the reſpect due to the perſon or authority of the ſovereign. This rule, and a correſpondent practice, are obſerved, from the

the Grand Seignior, down to the moſt petty prince or republick in Europe.

You have ſent me ſeveral papers, ſome in print, ſome in manuſcript. I think I had ſeen all of them, except the formula of aſſociation. I confeſs they appear to me to contain matter miſchievous, and capable of giving alarm, if the ſpirit in which they are written ſhould be found to make any conſiderable progreſs. But I am at a loſs to know how to apply them, as objections to the caſe now before us. When I find that *the general committee* which acts for the roman catholicks in Dublin, prefers the aſſociation propoſed in the written draft you have ſent me, to a reſpectful application in parliament, I ſhall think the perſons who ſign ſuch a paper to be unworthy of any privilege which may be thought fit to be granted; and that ſuch men ought, by *name*, to be excepted from any benefit under the conſtitution to which they offer this violence. But I do not find that this form of a ſeditious league has been ſigned by any perſon whatſoever, either on the part of the ſuppoſed projectors, or on the part of thoſe whom it is calculated to ſeduce. I do not find, on inquiry, that ſuch a thing was mentioned, or even remotely alluded to, in the general meeting of the catholicks, from which ſo much violence was apprehended. I have conſidered the other publications, ſigned by individuals, on the part of certain ſocieties—I may miſtake,

miſtake, for I have not the honour of knowing them perſonally, but I take Mr. Butler and Mr. Tandy not to be catholicks, but members of the eſtabliſhed church. Not *one* that I recollect of theſe publications which you and I equally diſlike, appears to be written by perſons of that perſuaſion. Now, if, whilſt a man is dutifully ſoliciting a favour from parliament, any perſon ſhould chuſe, in an improper manner, to ſhew his inclination towards the cauſe depending; and if that *muſt* deſtroy the cauſe of the petitioner; then, not only the petitioner, but the legiſlature itſelf, is in the power of any weak friend or artful enemy, that the ſupplicant, or that the parliament may have. A man muſt be judged by his own actions only. Certain proteſtant diſſenters, make ſeditious propoſitions to the catholicks, which it does not appear that they have yet accepted. It would be ſtrange that the tempter ſhould eſcape all puniſhment, and that he who, under circumſtances full of ſeduction and full of provocation, has reſiſted the temptation, ſhould incur the penalty. You know, that, with regard to the diſſenters, who are *ſtated* to be the chief movers in this vile ſcheme of altering the principles of election to a right of voting by the head, you are not able (if you ought even to wiſh ſuch a thing) to deprive them of any part of the franchiſes and privileges which they hold on a footing of perfect equality with

yourſelves. *They* may do what they pleaſe with conſtitutional impunity; but the others cannot even liſten with civility to an invitation from them to an ill-judged ſcheme of liberty, without forfeiting, for ever, all hopes of any of thoſe liberties which we admit to be ſober and rational.

It is known, I believe, that the greater, as well as the ſounder part of our excluded countrymen have not adopted the wild ideas, and wilder engagements, which have been held out to them; but have rather choſen to hope ſmall and ſafe conceſſions from the legal power, than boundleſs objects from trouble and confuſion. This mode of action ſeems to me to mark men of ſobriety, and to diſtinguiſh them from thoſe who are intemperate, from circumſtance or from nature. But why do they not inſtantly diſclaim and diſavow thoſe who make ſuch advances to them? In this too, in my opinion, they ſhew themſelves no leſs ſober and circumſpect. In the preſent moment, nothing ſhort of inſanity could induce them to take ſuch a ſtep. Pray conſider the circumſtances. Diſclaim, ſays ſomebody, all union with the diſſenters;—right—But, when this your injunction is obeyed, ſhall I obtain the object which I ſolicit from *you*?—Oh, no, nothing at all like it!—But, in puniſhing us by an excluſion from the conſtitution through the great gate, for having been invited to enter into it by a poſtern, will you puniſh by deprivation of

their

their privileges, or mulct in any other way, thoſe who have tempted us?—Far from it—we mean to preſerve all *their* liberties and immunities, as *our* life-blood. We mean to cultivate *them*, as brethren whom we love and reſpect—with *you* we have no fellowſhip. We can bear with patience, their enmity to ourſelves; but their friendſhip with you, we will not endure. But mark it well! All our quarrels with *them*, are always to be revenged upon you. Formerly, it is notorious, that we ſhould have reſented with the higheſt indignation, your preſuming to ſhew any ill-will to them. You muſt not ſuffer them, now, to ſhew any good-will to you. Know—and take it once for all—that it is and ever has been, and ever will be, a fundamental maxim in our politicks, that you are not to have any part, or ſhadow, or name of intereſt whatever in our ſtate. That we look upon you, as under an irreverſible outlawry from our conſtitution—as perpetual and unalliable aliens.

Such, my dear Sir, is the plain nature of the argument drawn from the revolution maxims, enforced by a ſuppoſed diſpoſition in the catholicks to unite with the diſſenters. Such it is, though it were clothed in never ſuch bland and civil forms, and wrapped up, as a poet ſays, in a thouſand "artful folds of ſacred lawn." For my own part, I do not know in what manner to ſhape ſuch arguments, ſo as to obtain admiſſion for them into a

rational underſtanding. Every thing of this kind is to be reduced, at laſt, to threats of power.—I cannot ſay *væ victis*, and then throw the ſword into the ſcale. I have no ſword; and if I had, in this caſe moſt certainly I would not uſe it, as a make-weight in political reaſoning.

Obſerve, on theſe principles, the difference between the procedure of the parliament and the diſſenters, towards the people in queſtion. One employs courtſhip, the other force. The diſſenters offer bribes, the parliament nothing but the *front negatif* of a ſtern and forbidding authority. A man may be very wrong in his ideas of what is good for him. But no man affronts me, nor can therefore juſtify my affronting him, by offering to make me as happy as himſelf, acording to his own ideas of happineſs. This the diſſenters do to the catholicks. You are on the different extremes. The diſſenters offer, with regard to conſtitutional rights and civil advantages of all ſorts, *every thing*—you refuſe *every thing*. With them, there is boundleſs, though not very aſſured hope; with you, a very ſure and very unqualified deſpair. The terms of alliance, from the diſſenters, offer a repreſentation of the commons, choſen out of the people by the head. This is abſurdly and dangerouſly large, in my opinion; and that ſcheme of election is known to have been, at all times, perfectly odious to me. But I cannot think it right of courſe to puniſh

the

the Iriſh roman catholicks by an univerſal excluſion, becauſe others, whom you would not puniſh at all, propoſe an univerſal admiſſion. I cannot diſſemble to myſelf, that, in this very kingdom, many perſons who are not in the ſituation of the Iriſh catholicks, but who, on the contrary, enjoy the full benefit of the conſtitution as it ſtands, and ſome of whom, from the effect of their fortunes, enjoy it in a large meaſure, had ſome years ago aſſociated to procure great and undefined changes (they conſidered them as reforms) in the popular part of the conſtitution. Our friend, the late Mr. Flood (no ſlight man) propoſed in his place, and in my hearing, a repreſentation not much leſs extenſive than this, for England; in which every houſe was to be inhabited by a voter—*in addition* to all the actual votes by other titles (ſome of the corporate) which we know do not require a houſe, or a ſhed. Can I forget that a perſon of the very higheſt rank, of very large fortune, and of the firſt claſs of ability, brought a bill into the houſe of lords, in the head-quarters of ariſtocracy, containing identically the ſame project, for the ſuppoſed adoption of which by a club or two, it is thought right to extinguiſh all hopes in the roman catholicks of Ireland? I cannot ſay it was very eagerly embraced or very warmly purſued. But the lords neither did diſavow the bill, nor treat it with any diſregard, nor expreſs any ſort of diſapprobation

of its noble author, who has never loſt, with king or people, the leaſt degree of the reſpect and conſideration which ſo juſtly belongs to him.

I am not at all enamoured, as I have told you, with this plan of repreſentation; as little do I reliſh any bandings or aſſociations for procuring it. But if the queſtion was to be put to you and me—*univerſal* popular repreſentation, or *none at all for us and ours*—we ſhould find ourſelves in a very awkward poſition. I do not like this kind of dilemmas, eſpecially when they are practical.

Then, ſince our oldeſt fundamental laws follow, or rather couple, freehold with franchiſe; ſince no principle of the revolution ſhakes theſe liberties; ſince the oldeſt of one of the beſt monuments of the conſtitution, demands for the Iriſh the privilege which they ſupplicate; ſince the principles of the revolution coincide with the declarations of the great charter; ſince the practice of the revolution, in this point, did not contradict its principles; ſince, from that event, twenty-five years had elapſed, before a domineering party, on a party principle, had ventured to disfranchiſe, without any proof whatſoever of abuſe, the greater part of the community; ſince the king's coronation oath does not ſtand in his way to the performance of his duty to all his ſubjects; ſince you have given to all other diſſenters theſe privileges without limit, which are hitherto withheld, without any limitation

limitation whatſoever, from the catholicks; ſince no nation in the world has ever been known to exclude ſo great a body of men (not born ſlaves, from the civil ſtate, and all the benefits of its conſtitution; the whole queſtion comes before parliament, as a matter for its prudence. I do not put the thing on a queſtion of right. That diſcretion which in judicature is well ſaid by lord Coke to be a crooked cord, in legiſlature is a golden rule. Supplicants ought not to appear too much in the character of litigants. If the ſubject thinks ſo highly and reverently of the ſovereign authority, as not to claim any thing of right, ſo that it may ſeem to be independent of the power and free choice of its government; and if the ſovereign, on his part, conſiders the advantages of the ſubjects as their right, and all their reaſonable wiſhes as ſo many claims; in the fortunate conjunction of theſe mutual diſpoſitions are laid the foundations of a happy and proſperous commonwealth. For my own part, deſiring of all things that the authority of the legiſlature under which I was born, and which I cheriſh, not only with a dutiful awe, but with a partial and cordial affection, to be maintained in the utmoſt poſſible reſpect, I never will ſuffer myſelf to ſuppoſe, that, at bottom, their diſcretion will be found to be at variance with their juſtice.

The whole being at diſcretion, I beg leave juſt to ſuggeſt ſome matters for your conſideration—

Whether the government in church or ſtate is likely to be more ſecure by continuing cauſes of grounded diſcontent, to a very great number (ſay two millions) of the ſubjects? or, Whether the conſtitution, combined and balanced as it is, will be rendered more ſolid, by depriving ſo large a part of the people of all concern, or intereſt, or ſhare, in its repreſentation, actual or *virtual?* I here mean to lay an emphaſis on the word *virtual.* Virtual repreſentation is that in which there is a communion of intereſts, and a ſympathy in feelings and deſires between thoſe who act in the name of any deſcription of people, and the people in whoſe name they act, though the truſtees are not actually choſen by them. This is virtual repreſentation. Such a repreſentation I think to be, in many caſes, even better than the actual. It poſſeſſes moſt of its advantages, and is free from many of its inconveniences; it corrects the irregularities in the literal repreſentation, when the ſhifting current of human affairs, or the acting of publick intereſts in different ways, carry it obliquely from its firſt line of direction. The people may err in their choice; but common intereſt and common ſentiment are rarely miſtaken. But this ſort of virtual repreſentation cannot have a long or ſure exiſtence, if it has not a ſubſtratum in the actual. The member muſt have ſome relation to the conſtituent. As things ſtand, the catholick, as a

catholick

catholick and belonging to a deſcription, has no *virtual* relation to the repreſentative; but the *contrary*. There is a relation in mutual obligation. Gratitude may not always have a very laſting power; but the frequent recurrence of an application for favours will revive and refreſh it, and will neceſſarily produce ſome degree of mutual attention. It will produce, at leaſt, acquaintance. The ſeveral deſcriptions of people will not be kept ſo much apart as they now are, as if they were not only ſeparate nations, but ſeparate ſpecies. The ſtigma and reproach, the hideous maſk will be taken off, and men will ſee each other as they are. Sure I am, that there have been thouſands in Ireland, who have never converſed with a roman catholick in their whole lives, unleſs they happened to talk to their gardener's workmen, or to aſk their way, when they had loſt it, in their ſports; or, at beſt, who had known them only as footmen, or other domeſticks, of the ſecond and third order; and ſo averſe were they, ſome time ago, to have them near their perſons, that they would not employ even thoſe who could never find their way beyond the ſtable. I well remember a great, and in many reſpects a good man, who advertiſed for a blackſmith; but, at the ſame time, added, he muſt be a proteſtant. It is impoſſible that ſuch a ſtate of things, though natural goodneſs in many perſons will undoubtedly make exceptions, muſt

not

not produce alienation on the one ſide, and pride and inſolence on the other.

Reduced to a queſtion of diſcretion, and that diſcretion exerciſed ſolely upon what will appear beſt for the conſervation of the ſtate on its preſent baſis, I ſhould recommend it to your ſerious thoughts, whether the narrowing of the foundation is always the beſt way to ſecure the building? The body of disfranchiſed men will not be perfectly ſatisfied to remain always in that ſtate. If they are not ſatisfied, you have two millions of ſubjects in your boſom, full of uneaſineſs; not that they cannot overturn the act of ſettlement, and put themſelves and you under an arbitrary maſter; or, that they are not permitted to ſpawn a hydra of wild republicks, on principles of a pretended natural equality in man; but, becauſe you will not ſuffer them to enjoy the antient, fundamental, tried advantages of a Britiſh conſtitution: that you will not permit them to profit of the protection of a common father, or the freedom of common citizens: and that the only reaſon which can be aſſigned for this disfranchiſement, has a tendency more deeply to ulcerate their minds than the act of excluſion itſelf. What the conſequence of ſuch feelings muſt be, it is for you to look to. To warn, is not to menace.

I am far from aſſerting, that men will not excite diſturbances without juſt cauſe. I know that ſuch

ſuch an aſſertion is not true. But, neither is it true that diſturbances have never juſt complaints for their origin. I am ſure that it is hardly prudent to furniſh them with ſuch cauſes of complaint, as every man who thinks the Britiſh conſtitution a beneſit, may think, at leaſt colourable and plauſible.

Several are in dread of the manœuvres of certain perſons among the diſſenters, who turn this ill humour to their own ill purpoſes. You know better than I can, how much theſe proceedings of certain among the diſſenters are to be feared. You are to weigh, with the temper which is natural to you, whether it may be for the ſafety of our eſtabliſhment, that the catholicks ſhould be ultimately perſuaded that they have no hope to enter into the conſtitution, but through the diſſenters.

Think, whether this be the way to prevent, or diſſolve factious combinations againſt the church, or the ſtate. Reflect ſeriouſly on the poſſible conſequences of keeping, in the heart of your country, a bank of diſcontent, every hour accumulating, upon which every deſcription of ſeditious men may draw at pleaſure. They, whoſe principles of faction will diſpoſe them to the eſtabliſhment of an arbitrary monarchy, will find a nation of men who have no ſort of intereſt in freedom; but who will have an intereſt in that equality of juſtice or favour, with which a wiſe deſpot muſt view all his

ſubjects

ſubjects who do not attack the foundations of his power. Love of liberty itſelf may, in ſuch men, become the means of eſtabliſhing an arbitrary domination. On the other hand, they who wiſh for a democratick republick, will find a ſet of men who have no choice between civil ſervitude, and the entire ruin of a mixed conſtitution.

Suppoſe the people of Ireland divided into three parts; of theſe (I ſpeak within compaſs) two are catholick. Of the remaining third, one half is compoſed of diſſenters. There is no natural union between thoſe deſcriptions. It may be produced. If the two parts catholick be driven into a cloſe confederacy with half the third part of proteſtants, with a view to a change in the conſtitution in church or ſtate, or both; and you reſt the whole of their ſecurity on a handful of gentlemen, clergy, and their dependants; compute the ſtrength *you have in Ireland,* to oppoſe to grounded diſcontent; to capricious innovation; to blind popular fury, and to ambitious turbulent intrigue.

You mention that the minds of ſome gentlemen are a good deal heated: and that it is often ſaid, that, rather than ſubmit to ſuch perſons having a ſhare in their franchiſes, they would throw up their independence, and precipitate an union with Great Britain. I have heard a diſcuſſion concerning ſuch an union amongſt all ſorts of men ever ſince I remember any thing. For my own part,

I have

I have never been able to bring my mind to any thing clear and deciſive upon the ſubject. There cannot be a more arduous queſtion. As far as I can form an opinion, it would not be for the mutual advantage of the two kingdoms. Perſons, however, more able than I am, think otherwiſe. But, whatever the merits of this union may be, to make it a *menace*, it muſt be ſhewn to be an *evil;* and an evil more particularly to thoſe who are threatened with it, than to thoſe who hold it out as a terrour. I really do not ſee how this threat of an union can operate, or that the catholicks are more likely to be loſers by that meaſure than the churchmen.

The humours of the people, and of politicians too, are ſo variable in themſelves, and are ſo much under the occaſional influence of ſome leading men, that it is impoſſible to know what turn the publick mind here would take on ſuch an event. There is but one thing certain concerning it. Great diviſions and vehement paſſions would precede this union, both on the meaſure itſelf and on its terms; and particularly, this very queſtion of a ſhare in the repreſentation for the catholicks, from whence the project of an union originated, would form a principal part in the diſcuſſion; and in the temper in which ſome gentlemen ſeem inclined to throw themſelves, by a ſort of high indignant paſſion, into the ſcheme, thoſe points would not be deliberated with all poſſible calmneſs.

From

From my beſt obſervation, I ſhould greatly doubt, whether in the end, theſe gentlemen would obtain their object, ſo as to make the excluſion of two millions of their countrymen a fundamental article in the union. The demand would be of a nature quite unprecedented. You might obtain the union: and yet a gentleman, who, under the new union eſtabliſhment, would aſpire to the honour of repreſenting his county, might poſſibly be as much obliged, as he may fear to be, under the old ſeparate eſtabliſhment, to the unſupportable mortification of aſking his neighbours, who have a different opinion concerning the elements in the ſacrament, for their votes.

I believe, nay, I am ſure, that the people of Great Britain, with or without an union, might be depended upon, in caſes of any real danger, to aid the government of Ireland, with the ſame cordiality as they would ſupport their own, againſt any wicked attempts to ſhake the ſecurity of the happy conſtitution in church and ſtate. But before Great Britain engages in any quarrel, the *cauſe of the diſpute* would certainly be a part of her conſideration. If confuſions ſhould ariſe in that kingdom, from too ſteady an attachment to a proſcriptive monopolizing ſyſtem, and from the reſolution of regarding the franchiſe, and, in it the ſecurity of the ſubject, as belonging rather to religious opinions than to civil qualification and civil conduct,

I doubt

I doubt whether you might quite certainly reckon on obtaining an aid of force from hence, for the ſupport of that ſyſtem. We might extend your diſtractions to this country, by taking part in them. England will be indiſpoſed, I ſuſpect, to ſend an army for the conqueſt of Ireland. What was done in 1782 is a deciſive proof of her ſentiments of juſtice and moderation. She will not be fond of making another American war in Ireland. The principles of ſuch a war would but too much reſemble the former one. The well-diſpoſed and the ill-diſpoſed in England, would (for different reaſons perhaps) be equally averſe to ſuch an enterpriſe. The confiſcations, the publick auctions, the private grants, the plantations, the tranſplantations, which formerly animated ſo many adventurers, even among ſober citizens, to ſuch Iriſh expeditions, and which poſſibly might have animated ſome of them to the American, can have no exiſtence in the caſe that we ſuppoſe.

Let us form a ſuppoſition (no fooliſh or ungrounded ſuppoſition) that in an age when men are infinitely more diſpoſed to heat themſelves with political than religious controverſies, the former ſhould entirely prevail, as we ſee that in ſome places they have prevailed, over the latter; and that the catholicks of Ireland, from the courtſhip paid them on the one hand, and the high tone of refuſal on the other, ſhould, in order to enter into all

all the rights of ſubjects, all become proteſtant diſſenters; and as the other do, take all your oaths. They would all obtain their civil objects; and the change, for any thing I know to the contrary, (in the dark as I am about the proteſtant diſſenting tenets) might be of uſe to the health of their ſouls. But, what ſecurity our conſtitution, in church or ſtate, could derive from that event, I cannot poſſibly diſcern. Depend upon it, it is as true as nature is true, that if you force them out of the religion of habit, education, or opinion, it is not to yours they will ever go. Shaken in their minds, they will go to that where the dogmas are feweſt, where they are the moſt uncertain, where they lead them the leaſt to a conſideration of what they have abandoned. They will go to that uniformly democratick ſyſtem, to whoſe firſt movements they owed their emancipation. I recommend you ſeriouſly to turn this in your mind. Believe that it requires your beſt and matureſt thoughts. Take what courſe you pleaſe—union or no union; whether the people remain catholicks or become proteſtant diſſenters, ſure it is, that the preſent ſtate of monopoly *cannot* continue.

If England were animated, as I think ſhe is not, with her former ſpirit of domination, and with the ſtrong theological hatred which ſhe once cheriſhed for that deſcription of her fellow-chriſtians and fellow-ſubjects; I am yet convinced, that, after

the fulleſt ſucceſs in a ruinous ſtruggle, you would be obliged to abandon that monopoly. We were obliged to do this, even when every thing promiſed ſucceſs in the American buſineſs. If you ſhould make this experiment at laſt, under the preſſure of any neceſſity, you never can do it well. But if, inſtead of falling into a paſſion, the leading gentlemen of the country themſelves ſhould undertake the buſineſs cheerfully, and with hearty affection towards it, great advantages would follow. What is forced, cannot be modified: but here you may meaſure your conceſſions.

It is a conſideration of great moment, that you make the deſired admiſſion without altering the ſyſtem of your repreſentation in the ſmalleſt degree, or in any part. You may leave that deliberation of a parliamentary change or reform, if ever you ſhould think fit to engage in it, uncomplicated and unembarraſſed with the other queſtion. Whereas, if they are mixed and confounded, as ſome people attempt to mix and confound them, no one can anſwer for the effects on the conſtitution itſelf.

There is another advantage in taking up this buſineſs, ſingly and by an arrangement for the ſingle object. It is that you may proceed by *degrees*. We muſt all obey the great law of change. It is the moſt powerful law of nature, and the means perhaps of its conſervation. All we can do,

and that human wiſdom can do, is to provide that the change ſhall proceed by inſenſible degrees. This has all the benefits which may be in change, without any of the inconveniences of mutation. Every thing is provided for as it arrives. This mode will, on the one hand, prevent the *unfixing old intereſts at once;* a thing which is apt to breed a black and ſullen diſcontent, in thoſe who are at once diſpoſſeſſed of all their influence and conſideration. This gradual courſe, on the other ſide, will prevent men, long under depreſſion, from being intoxicated with a large draught of new power, which they always abuſe with a licentious inſolence. But, wiſhing, as I do, the change to be gradual and cautious, I would, in my firſt ſteps, lean rather to the ſide of enlargement than reſtriction.

It is one excellence of our conſtitution, that all our rights of provincial election regard rather property than perſon. It is another, that the rights which approach more nearly to the perſonal, are moſt of them corporate, and ſuppoſe a reſtrained and ſtrict education of ſeven years in ſome uſeful occupation. In both caſes the practice may have ſlid from the principle. The ſtandard of qualification in both caſes may be ſo low, or not ſo judiciouſly choſen, as in ſome degree to fruſtrate the end. But all this is for your prudence in the caſe before you. You may riſe, a ſtep or two, the qualification of the catholick voters. But if you were,

to-morrow, to put the catholick freeholder on the footing of the moſt favoured forty-ſhilling proteſtant diſſenter, you know that ſuch is the actual ſtate of Ireland, this would not make a ſenſible alteration in almoſt any *one* election in the kingdom. The effect in their favour, even defenſively, would be infinitely ſlow. But it would be healing; it would be ſatisfactory and protecting. The ſtigma would be removed. By admitting ſettled permanent ſubſtance in lieu of the numbers, you would avoid the great danger of our time, that of ſettling up number againſt property. The numbers ought never to be neglected; becauſe (beſides what is due to them as men) collectively, though not individually they have great property; they ought to have therefore protection: they ought to have ſecurity; they ought to have even conſideration: but they ought not to predominate.

My dear Sir, I have nearly done; I meant to write you a long letter; I have written a long diſſertation. I might have done it earlier and better. I might have been more forcible and more clear, if I had not been interrupted as I have been; and this obliges me not to write to you in my own hand. Though my hand but ſigns it, my heart goes with what I have written. Since I could think at all, thoſe have been my thoughts. You know that thirty-two years ago they were as fully matured in my mind as they are now. A letter of

mine to lord Kenmare, though not by my deſire, and full of leſſer miſtakes, has been printed in Dublin. It was written ten or twelve years ago, at the time when I began the employment, which I have not yet finiſhed, in favour of another diſtreſſed people, injured by thoſe who have vanquiſhed them, or ſtolen a dominion over them. It contained my ſentiments then; you will ſee how far they accord with my ſentiments now. Time has more and more confirmed me in them all. The preſent circumſtances fix them deeper in my mind.

I voted laſt ſeſſion, if a particular vote could be diſtinguiſhed, in unanimity, for an eſtabliſhment of the church of England *conjointly* with the eſtabliſhment which was made ſome years before by act of parliament, of the roman catholick, in the French conquered country of Canada. At the time of making this Engliſh eccleſiaſtical eſtabliſhment, we did not think it neceſſary for its ſafety, to deſtroy the former Gallican church ſettlement. In our firſt act we ſettled a government altogether monarchical, or nearly ſo. In that ſyſtem, the Canadian catholicks were far from being deprived of the advantages or diſtinctions, of any kind, which they enjoyed under their former monarchy. It is true, that ſome people, and amongſt them one eminent divine, predicted at that time, that by this ſtep we ſhould loſe our dominions in America.

He

He foretold that the pope would ſend his indulgences hither; that the Canadians would fall in with France; would declare independence, and draw or force our colonies into the ſame deſign. The independence happened according to his prediction; but in directly the reverſe order. All our Engliſh proteſtant colonies revolted. They joined themſelves to France: and it ſo happened that popiſh Canada was the only place which preſerved its fidelity; the only place in which France got no footing; the only peopled colony which now remains to Great Britain. Vain are all the prognoſticks taken from ideas and paſſions, which ſurvive the ſtate of things which gave riſe to them. When laſt year we gave a popular repreſentation to the ſame Canada, by the choice of the landholders, and an ariſtocratick repreſentation, at the choice of the crown, neither was the choice of the crown, nor the election of the landholders, limited by a conſideration of religion. We had no dread for the proteſtant church, which we ſettled there, becauſe we permitted the French catholicks, in the utmoſt latitude of the deſcription, to be free ſubjects. They are good ſubjects, I have no doubt; but I will not allow that any French Canadian catholicks are better men or better citizens than the Iriſh of the ſame communion. Paſſing from the extremity of the weſt, to the extremity almoſt of the eaſt; I have been many years (now entering into the

the twelfth) employed in ſupporting the rights, privileges, laws and immunities, of a very remote people. I have not as yet been able to finiſh my taſk. I have ſtruggled through much diſcouragement and much oppoſition; much obloquy: much calumny, for a people with whom I have no tie, but the common bond of mankind. In this I have not been left alone. We did not fly from our undertaking, becauſe the people are mahometans or pagans, and that a great majority of the chriſtians amongſt them are papiſts. Some gentlemen in Ireland, I dare ſay, have good reaſons for what they may do, which do not occur to me. I do not preſume to condemn them; but thinking and acting as I have done, towards theſe remote nations, I ſhould not know how to ſhew my face, here or in Ireland, if I ſhould ſay that all the pagans, all the muſſelmen, and even all the papiſts (ſince they muſt form the higheſt ſtage in the climax of evil) are worthy of a liberal and honourable condition, except thoſe of one of the deſcriptions, which forms the majority of the inhabitants of the country in which you and I were born. If ſuch are the catholicks of Ireland,—ill-natured and unjuſt people, from our own data, may be inclined not to think better of the proteſtants of a ſoil, which is ſuppoſed to infuſe into its ſects a kind of venom unknown in other places.

You hated the old ſyſtem as early as I did. Your

firſt

firſt juvenile lance was broken againſt that giant. I think you were even the firſt who attacked the grim phantom. You have an exceeding good underſtanding, very good humour, and the beſt heart in the world. The dictates of that temper and that heart, as well as the policy pointed out by that underſtanding, led you to abhor the old code. You abhorred it, as I did, for its vicious perfection. For I muſt do it juſtice: it was a complete ſyſtem, full of coherence and conſiſtency; well digeſted and well compoſed in all its parts. It was a machine of wiſe and elaborate contrivance; and as well fitted for the oppreſſion, impoveriſhment, and degradation of a people, and the debaſement, in them, of human nature itſelf, as ever proceeded from the perverted ingenuity of man. It is a thing humiliating enough, that we are doubtful of the effect of the medicines we compound. We are ſure of our poiſons. My opinion ever was (in which I heartily agree with thoſe that admired the old code) that it was ſo conſtructed, that if there was once a breach in any eſſential part of it; the ruin of the whole, or nearly of the whole, was at ſome time or other, a certainty For that reaſon I honour, and ſhall for ever honour and love you, and thoſe who firſt cauſed it to ſtagger, crack, and gape.—Others may finiſh; the beginners have the glory; and, take what part you pleaſe at this hour, (I think you will take the beſt) your firſt

ſervices

ſervices will never be forgotten by a grateful country. Adieu! Preſent my beſt regards to thoſe I know, and as many as I know in our country, I honour. There never was ſo much ability, nor, I believe, virtue, in it. They have a taſk worthy of both. I doubt not they will perform it, for the ſtability of the church and ſtate, and for the union and the ſeparation of the people: for the union of the honeſt and peaceable of all ſects; for their ſeparation from all that is ill-intentioned and ſeditious in any of them.

Beaconsfield, January 3, 1792.

THE END OF THE SIXTH VOLUME.

Printed by Luke Hanſard & Sons,
near Lincoln's-Inn Fields.

Linked Data: 97/8, 133, 210,

Change of Circumstance: 114 ff 5/9

Purchase Ordering Process: 147/8

* Contract Theory: 148/9, 201/209

Local Compact

(1) object (2) origin (3) not dissolute

00053973

Digitized with financial assistance from the
Government of Maharashtra
on 28 September, 2015